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Tuesday 29 September 2009

Mardi 29 septembre 2009

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

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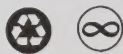
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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 29 September 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 29 septembre 2009

The House met at 0900.

The Speaker (Hon. Steve Peters): Good morning. Please remain standing for the Lord's Prayer, followed by a moment of silence for inner thought and personal reflection.

Prayers.

ORDERS OF THE DAY

ENVIRONMENTAL PROTECTION AMENDMENT ACT (GREENHOUSE GAS EMISSIONS TRADING), 2009

LOI DE 2009 MODIFIANT LA LOI SUR LA PROTECTION DE L'ENVIRONNEMENT (ÉCHANGE DE DROITS D'ÉMISSION DE GAZ À EFFET DE SERRE)

Resuming the debate adjourned on September 15, 2009, on the motion for second reading of Bill 185, An Act to amend the Environmental Protection Act with respect to greenhouse gas emissions trading and other economic and financial instruments and market-based approaches / *Projet de loi 185, Loi modifiant la Loi sur la protection de l'environnement en ce qui concerne l'échange de droits d'émission de gaz à effet de serre ainsi que d'autres instruments économiques et financiers et approches axées sur le marché.*

The Speaker (Hon. Steve Peters): Further debate? The member for Hamilton–Stoney Creek.

Mr. Paul Miller: Today I would like to talk about Bill 185 on second reading. Ontarians want to know that their children and grandchildren will have a healthy environment to live in. They know the threat of climate change is real. They want the Ontario government to act now, forcefully and effectively, to contribute its fair share to the global solution to address climate change. Bill 185 aims to set up a system to cap greenhouse gas emissions in Ontario. Combined with programs and policies to reduce such emissions, the government aims to reduce the GHG emissions by 15% below 1990 levels by 2020.

Our party has serious concerns, both about this bill and about the government's climate change plan in general. We are concerned that the government's plan is neither effective nor fair to Ontarians. I want to take some time today to speak about these weaknesses and suggest some better solutions for action against climate change.

Each year that passes, climate change becomes a greater threat to the health and economic well-being of Ontarians. Ontarians are already suffering the effects of global warming. Take, for instance, the increase in extreme weather events in the province. Just look at last summer and the events that took place: thousands of my Hamilton residents facing damages from flooded basements this July during a one-in-100-year downpour, a boy losing his life in Elmdale and hundreds losing their homes in Vaughan in August, as an unusually powerful storm ripped across southern Ontario. Residents in Ottawa, Sarnia, Thunder Bay and Peterborough have all experienced damaging flooding events over the past 20 years, leading to the hundreds of millions of dollars in damages.

The David Suzuki Foundation shows that the frequency of natural disasters in Canada has tripled between the 1960s and the 1990s, at least in part because of warmer air associated with climate change. Ontarians want serious action from governments, and they don't think enough is being done at this time. According to the Harris/Decima poll released in August, 70% of Ontarians think that the environment should be as high a priority for governments as the economy, even during our current recession, and similar percentages of Ontarians say that the environment is more important to them now than it was 10 years ago. The vast majority of Ontarians believe that we are not doing enough to address environmental issues.

But Ontarians are also worried that they will be negatively impacted by government actions to address environmental issues. Lower-income people, women, older people and people with less education are more worried that government actions on the environment will hurt them personally. These people are least able to recover from job loss and are hit hardest. Prices for food, electricity and basic necessities become a real problem. They fear that the government will let wealthier individuals and companies off the hook when it comes to the environment, as has been the case in the province. I know that I have witnessed in the industries in Hamilton that the government is a little light on pollution and on pollution controls. They don't enforce or fine companies to the level that they should for some of the spills and environmental disasters that have taken place over the years. They really don't enforce the ministry rules in a lot of cases.

It's important to remember who has contributed most to greenhouse gas emissions in the first place. It hasn't been the single mother balancing two jobs and struggling

to make ends meet. It hasn't been the laid-off factory worker who has to sell his three-bedroom house because he can't afford the mortgage. No. It's actually the richest Ontarians and Canadians who have seen their salaries and consumption rise even as most of us have struggled. Canadian economist Lars Osberg studied this and found that if it were not for the rising incomes of the richest Canadians and the increased consumption that has gone along with their grotesque wealth, Canada would be on track to meet its Kyoto targets.

While low- and middle-income people have contributed the least to climate change, they are hurt the most by taxing or capping carbon emissions because they can least afford price increases. Low- and middle-income people are also most affected by floods, heat waves and extreme cold weather because they can't afford air conditioners, basement waterproofing and proper insulation. As well, low- and middle-income people are least able to afford green and energy-efficient technologies even with the government rebates.

Ontarians want government action on climate change, but they want it to be effective and fair. Low- and middle-income people want to share in the opportunities provided by the new green economy and do not want to have to bear the burden of the problem they did not cause. The McGuinty government has had six years to develop a fair and effective climate change action plan, but it still doesn't have one. Yes, the government has set strong targets for greenhouse gas reductions, and we welcome those targets, but it's still not clear how these targets will be achieved.

In his assessment of the recent government progress report on climate change, the Ontario Environmental Commissioner, Gord Miller, said that while "quantifiable GHG reduction, fixed timelines and realistic targets are the cornerstone to any plan ... real numbers are absent from this plan." For example, Mr. Miller complained that "the report provides little in the way of detailed analysis to clarify or quantify how 10% of the 2014 GHG reduction target will be delivered through transportation-related initiatives." He has a reason to worry. GHG emissions from road transportation have increased by 35% since 1990 in Ontario. According to Environment Canada, that is due to both urban sprawl and consumer preference for SUVs, vans and pickups. What do we see the McGuinty government doing on this front? Well, this spring it cut a "secret deal"—the words of a Toronto Star person—with developers, which spawned yet another urban sprawl north of the greenbelt in the Bradford-Barrie area.

In its 2009 budget, the McGuinty government allocated more spending on new and expanded highways than it did on public transit. The McGuinty government has allowed transit fares to rise and let government support for transit operation fall to the lowest in North America. The McGuinty government has accepted a 20-year transit plan for the greater Toronto area that will allow GHG emissions to rise by as much as 18% over the 2006 levels. Instead of making public transit affordable, the

McGuinty government is offering up rebates on a \$40,000 electric car that still doesn't exist and which the vast majority of Ontarians won't be able to afford. So really, once again, we've got the cart before the horse.

0910

They're offering rebates on cars that haven't even hit the market yet, so it's really not going to be beneficial to the population in any way, shape or form until those cars are out en masse, and I don't think that most of the people can afford them. So what impact that will have, I'm not sure. Instead of making public transit affordable, the government is offering up that rebate. Well, like I said, how many people can afford to spend \$40,000 on a car? Not too many.

Other aspects of the government's so-called green plan are equally problematic. The recent announcement to close at least some coal plants next year is a welcome announcement—if still three years later than they originally promised it. However, the McGuinty government is bringing on a short-term energy gap by taking 10 or more years to build expensive and polluting nuclear plants instead of quick-to-deploy renewable energy. They will have to fill this gap with greenhouse-gas-emitting natural gas plants or possibly delays to the final phase-out of the coal plants. Meanwhile, the government continues to fail to require that the OPA pursue all possible energy conservation in Ontario instead of just two thirds of it.

The government's home retrofit program continues to be a program for the select few who can afford to put thousands of dollars up front on insulation, high-efficiency furnaces and solar water heaters, and then navigate the complex rebate program. It's just out of touch for most people. That's why only one in 80 Ontario homeowners has taken advantage of the government's home retrofit program. A lot of people can barely afford to pay their hydro bill and can't afford to put food on the table, so these programs are not feasible unless they make some major restructuring to the amounts and the people it will help. It's just not working because, like I said, in our present climate, a lot of people are out of work, a lot of people can't afford it, and it just isn't happening.

It is fitting that Mr. Smitherman launched a recent change to the home retrofit program at a million-dollar Rosedale home, for those are the homeowners who are benefiting—a million-dollar home. I don't know how many people can afford to live in that. I might have visited one, I can't remember, but I sure as heck have never owned one. Meanwhile, lower-income Ontario homeowners are going to have to pay more for home heating and electricity, and they won't be able to afford home energy efficiency retrofit programs to reduce these costs. That would probably be 80% of the population who won't be able to afford it; not exactly an effective program, I would say.

And lower-income tenants are going to pay more for heating as landlords pass heating costs from smart meters without reducing basic rents or making energy-efficient

improvements to the apartments. So they're going to raise the rent because they haven't done what they're supposed to do as far as insulating their apartments, and of course, once again, it will be passed on to the consumers.

The government stands up here and talks about programs and how they're going to benefit people and that the consumer will benefit. Well, I don't remember too many people passing on savings to me as a consumer over the years. I don't remember my taxes going down. I don't remember my municipal taxes going down. I do remember them going up all the time, and our salaries were capped. Then, when we have to try to make enough money to pay for these things, we go on strike and these companies are supported with allowing scab labour to come into the plant and things like that. It would be nice if this government finally passes anti-scab legislation so people can actually work and afford to pay for these programs that they're introducing.

All in all, it's hard to have confidence that the government will meet either its 2014 or 2020 GHG reduction targets. One has to wonder why the McGuinty government doesn't design environmental programs that an average person can afford. You know, if it's going to be really efficient, if it's going to work, I think that the majority of Ontarians would have to be able to be in a position to afford the luxury of retrofitting their homes to save them money in the long run, and I'm sure that it would be less consumption of our much-needed resources. One also wonders why it provides so little support for more widely affordable ways for people to reduce their GHG emissions, such as tax credits for bicycle commuting or reduced fare transit passes for workers.

The NDP believes strongly that policies are needed to make environmental options convenient and affordable for Ontarians. Instead of expecting hard-pressed homeowners to pony up thousands of dollars for home improvements, the NDP would provide low-interest loans that could be paid back through energy savings. Instead of funding new highways like the 404 extension, which breed urban sprawl and car use, the NDP would put money into making public transit fares more affordable for Ontarians. Instead of creating a short-term energy shortage by plunging ahead with expensive and dirty nuclear plants, the NDP would expand clean, quick-to-deploy, job-creating, renewable energy.

At the end of the day, the recent numbers tell the story of the McGuinty climate plan. After three years of modest progress, the GHG emissions rose—I repeat, rose—by 4% between 2006 and 2007, negating two years of so-called gains. There is clearly much more that the Liberal government could and must do to reduce emissions in the province, which brings us to the bill in front of us.

Like many Liberal bills, this is an enabling bill that leaves the details to regulations. The bill is all of a huge—we're really going to help the climate—three pages. My, that's a real attack on the environmental problems in our province. Three pages: Wow.

It enables the government to set up a cap-and-trade program through regulations. Yes, we do need a cap-and-trade system, but the question is, will it be designed to ensure that emissions are reduced quickly enough to protect the health of our future generations, and will it be designed to ensure that low-income—I repeat, low—and middle-income Ontarians are protected from the job loss and price increases that will occur in this system?

There is real danger that once again, with this bill, the Liberals will put the interests of their friends, developers and nuclear industry, the richest Ontarians, ahead of the interests of ordinary Ontarians, ahead of the fair and effective greenhouse gas reductions we require. In fact, there are indications already that this bill will produce a cap-and-trade system that is so weak that it will fail to make all the possible reductions in the GHGs.

The effectiveness and fairness of the bill will depend on the design features that will mostly be determined through those regulations. Some of the key questions are as follows:

When will the caps take effect? At what level? Will there be incentives for early action? How many sectors will have their emissions capped? Will it apply only to big companies or small and medium ones, too? Will permits to emit be sold or given away? If sold, at what price? Will the revenue be used to quicken the transition to a green economy and to help those most vulnerable make such a transition? Will companies be allowed to buy offsets if they exceed their capped levels? How will qualifying offsets be determined?

Some of these questions seem technical, but they matter in terms of how much the cap-and-trade system will reduce emissions and who will bear the cost.

Ontario is not developing its system in a vacuum. We are greatly affected by what kind of system is put in place in the US and what system is put in place across Canada. But we must not let either of these dictate what Ontarians seek to do. There are good aspects to the Waxman-Markey bill that the government would be wise to follow, but Ontario should go further in some respects.

First, Waxman-Markey is comprehensive in scope. It has a solid long-term goal, an 83% reduction in emissions from 2005 levels by 2050, which matches what scientists are calling for in developed countries and exceeds the long-term McGuinty targets.

Second, Waxman-Markey covers all fossil fuels and most other greenhouse gases, 86% of all emissions by 2020—not too far away.

Third, it is fair in that it allocates 15% of permits to low-income families. As mentioned, low-income families have done the least to cause climate change and have the most to lose from rising prices on basic necessities.

Rebates in the US program, about \$160 per adult starting in 2012 and growing over time, will help modest-income people cope with the transition. In fact, all low- and middle-income Americans will benefit over time, since unauctioned permits—about half the permits by 2030—will be paid out to US citizens living below the median income level.

Finally, the minimum auction price of \$10 a ton, rising each year, to \$63 a ton in 2050, places a strong price floor needed to encourage changes in business practices. We have to give initiatives to business to actually meet their targets. That's an important practice that hasn't been done in the past, and unfortunately, business hasn't sunk a lot of money into pollution control.

But there are also serious weaknesses to the Waxman-Markey bill, and pressure will come from vested interests for the McGuinty government not to go further in these areas.

0920

First, Waxman-Markey distributes too many emissions permits for free: 85% at the start. This constitutes a free handout in the order of billions of dollars to energy-intensive industries. Yes, industries need government support to reduce their energy use and to transition to greener technologies, but providing them with a free licence to emit won't help them make such a transition. Specifically, Waxman-Markey gives too many free permits to oil and coal companies and puts too much faith in carbon capture. The McGuinty government needs to advocate to ensure that the federal government of whatever stripe does not give oil companies a free ride by continuing to allow and subsidize the massive growth of the tar sands.

Second, Ontario needs to do better than the US in providing transitional aid for displaced workers and green-collar training programs. Waxman-Markey proposes to spend less than 1% on worker transition—far, far too little. There are many creative ways to help workers transition to green jobs, including basic support from income replacement, education and training, community development to build local economies and assistance to low-income people. The NDP has proposed an on-the-job training tax credit to help encourage employers to provide training to new workers making the transition to green jobs.

Finally—Speaker, it's a little tough to hear—the middle-term emission reduction targets of Waxman-Markey are simply not good enough. Waxman-Markey and the Stephen Harper plan aim for what works out to be a 3% reduction in emissions from 1990 to 2020. That is far shy of the McGuinty government's promised 15% reduction and far short of what most scientists believe is necessary to stop global temperatures from spiralling out of control. Pressure will come from industry for Ontario to align itself with these inadequate US and Canadian targets. The McGuinty government must do better in resisting these interests than it has done in resisting the interests of land developers, water bottling companies and other corporate interests where basically the bottom line is profit and not so much protecting the environment.

Here's what a strong and fair cap-and-trade would look like. First, it will start soon. In last year's memorandum with Quebec, the McGuinty government said it would implement a cap-and-trade system as early as January 1, 2010. It has let two years slip by. Now it seems the start date has been moved to 2012. Once again

we're putting it off, putting it off, putting it off. Soon we will see big disasters. So I just—

The Acting Speaker (Mrs. Julia Munro): Thank you. Questions and comments?

Ms. Helena Jaczek: It's a pleasure to rise this morning to comment on the remarks of our colleague from Hamilton East-Stoney Creek, remarks that were very pleasingly temperate this morning, I'm happy to say, also, as those remarks related to Bill 185, very much consistent with the way our government is moving forward with cap-and-trade. It's quite clear, as the member has outlined, that Ontarians do want governments to take action, and we have a responsibility to act to reduce greenhouse gas emissions and we owe it to the generations that follow. It's not sufficient to say, "Let someone else deal with it." Governments around the globe are taking action to reduce greenhouse gas emissions and it is indeed a global challenge, one that requires action at every level: internationally, federally, provincially and locally in each of our everyday lives. We are all global citizens and we need to take action. Since this is a global challenge, we are working with the Western Climate Initiative, the International Carbon Action Partnership, the Regional Greenhouse Gas Initiative and the Mid-western Greenhouse Gas Reduction Accord. We are taking action together. It's extremely important that we do this. Ontario has an open market economy but it operates in a global trading system.

Carbon pricing is a reality for North America and the global marketplace. President Obama is moving towards cap-and-trade. Developing a cap-and-trade system compatible with the US will help protect against potential border measures on Ontario's exports. Since Ontario exports about 80% of its products to the US, aligning our cap-and-trade system with the US is imperative, and we want to be at the forefront of developing this system that will put a price on carbon. Thank you.

The Acting Speaker (Mrs. Julia Munro): The member from Thornhill.

Mr. Peter Shurman: I'm pleased to rise and comment on the discourse by my friend from Hamilton East-Stoney Creek, whom I recognize not just on this, but on any debate we do in this chamber, as one of the passionate members of the NDP. I know he believes in what he is talking about.

I take exception not so much with what my friend from Hamilton East-Stoney Creek has to say, but, as I'll elaborate on in my own speech on this particular bill in a few moments, with the whole concept as it has been presented by the Liberal government. The member takes a bit of a Pollyannaish approach in believing that in some manner or means, with the legislation that's enacted herein, to wit the two-page-long—not three pages; three pages includes the cover—legislation called Bill 185, this government is going to effectively address GHGs and global warming by a piece of legislation that's as flimsy as this simply by saying, "We're going to introduce cap-and-trade here in the province of Ontario without really elaborating in any meaningful way on what this cap-and-trade means."

I think what we know is that when we talk about a global initiative—we really are dealing with that term “global”—Ontario cannot possibly go it alone. Does Ontario have to be a piece of the jigsaw puzzle? Of course it does. But in order to pass legislation and make it effective legislation, we need detail.

The member talked about the fact that we didn't meet targets. In fact, we surpassed the targets that we had set here in the province of Ontario. That's not a surprise. There was a fairly scientifically oriented study published earlier in the week, as a matter of fact, that said if we continue on the present course and we actually pass all of the initiatives that are out there on a global basis, we will still see the temperature rise six degrees Fahrenheit by the end of this century.

The Acting Speaker (Mrs. Julia Munro): The member from Welland.

Mr. Peter Kormos: Thank you kindly, Speaker. I listened carefully to my colleague Mr. Miller from Stoney Creek. He has already been insulted twice by other colleagues. One referred to his remarks as “temperate”; the other referred to them as “Pollyannaish.” I know Mr. Miller has got to be sitting back there now just smoking, with the smoke coming out of his ears. I'll not offend him in the same way.

He had an effective analysis, as he inevitably does, of greenhouse gas emissions. I know that he delivered that with a strong background as a municipal politician from a community that has coped with environmental issues throughout its history. I enjoy listening to Mr. Miller and his contribution to these debates. It was a thoughtful, reasoned and measured commentary by him on Bill 185, not without its critique of the government, because I would have been sorely disappointed had he not criticized the government. But he nonetheless displayed a remarkable familiarity with the subject matter.

We're going to listen to, I suppose, a Liberal and then Mr. Shurman. I'm looking forward to Mr. Shurman's remarks and I hope that people who are watching at this early morning hour will stay tuned for that. If I have a chance to speak, I'll be making some comments on the bill as well. I have some things to say, perhaps a little bit more obtuse, because everything that has been said, everything that Mr. Miller has said, I could say, “Me too.” But I'm not going to do that. Let's maybe flesh this out a little bit, expand it, look at some other aspects of it, look at some of the other dimensions to this issue, because it's really a broader environmental issue.

I commend my colleague. He was channelling Al Gore, and nobody could have done a better job.

The Acting Speaker (Mrs. Julia Munro): The member from Eglinton—Lawrence.

Mr. Mike Colle: I thank the member from Stoney Creek for his comprehensive comments on many aspects of this bill.

I just wanted to comment on one area that he touched upon: public transportation. The reality is that we, as a government, are involved in a massive investment in public transportation, over \$11.5 billion in improving

transit in the GTA, from Hamilton all the way to Durham. That is a very practical and pragmatic way of reducing our carbon footprint. That's under way right now with York region, the city of Toronto, Hamilton and Durham region. That's one way we can practically take cars off the road, take diesel buses off the road, because most of that \$11 billion is in new electric, low-floor streetcars, or CLRVs, whatever you want to call them, that will go across the GTA. That is pragmatic; it works. It gets people out of their cars when you put in new light-rail systems, which this government is investing in.

0930

I have a massive investment in public transit along Eglinton Avenue in my riding. Eglinton Avenue will now see public transit in modern, low-floor streetcars, which means seniors don't have to step up and disabled people can get in and out. It'll go all the way from Peel region, basically, to Durham; it's an east-west crossroad. That's an investment we're making, along with the investment we're making in expanding our subway system up to the city of Vaughan. It is critical to get an electric subway into one of the fastest-growing areas in Canada: the city of Vaughan and York region. That's practical. We're doing this as part of this bill, so it's more than just what's in this bill. It also complements the greenbelt and creates green jobs—real, well-paying green jobs.

The Acting Speaker (Mrs. Julia Munro): The member has two minutes to respond.

Mr. Paul Miller: I must start off by thanking my colleague Mr. Kormos for his kind words. I have never in my life been accused of being temperate or Pollyanna. I think that is quite a unique statement from both the members. That's the furthest from the truth when it comes to me, but that's okay. If they feel that way, I guess that was their way of softening the blow of their slams. But that's okay.

Let's face it, if we're going to be effective, if any government in this country is going to be effective, we've got to take a hard line. We've got to actually go after companies. Some of the other members may be a little more large-business friendly than we are and kind of turn their heads when it comes to pollution control. We're not like that in the NDP. We believe a healthy environment creates healthy people, creates longevity and also creates a good living and jobs. That's what we believe and we're going to stick to it and we're not going to be swayed from our opinion that governments aren't doing enough, haven't done enough and probably won't do enough in the near future.

They can set goals, they can set targets and they can set regulations, but if they don't implement them, they're not worth the paper they're written on. If they want to blow steam off and talk about what they're going to do, put some meat behind it. Let's see it done. Let's actually see some results. I haven't seen a heck of a lot and I probably won't, because I've lived through this my whole life in Hamilton. The ministry does not enforce its own rules. The ministry does not fine enough. The Ministry of the Environment has done a terrible, horrendous

job at going after companies and individuals that pollute. It goes on and on and on. One day we're all going to regret it.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Peter Kormos: I guess we're on our own, Peter.

Mr. Peter Shurman: I guess we are.

The Acting Speaker (Mrs. Julia Munro): The Chair recognizes the member from Thornhill.

Mr. Peter Shurman: I didn't expect to be debating this soon, but happy to rise and add my comments to those of the member from Hamilton East—Stoney Creek on Bill 185, on greenhouse gas emissions, primarily, but really implementing a cap-and-trade system here in the province of Ontario.

The first thing I want to do is go on record and say that Conservatives are not natively deniers of climate change, deniers of global warming, uncaring about pollution. We know that we have these problems to address and we want to address them. The inconvenient truth is that the McGuinty government doesn't know what it's doing in trying to address them with a bill that's as flimsy as this. Not only that, it's important that when we look at legislation that addresses the problem of climate change and we look at it on a narrow scale—and it is a narrow scale when we invoke only Ontario as the jurisdiction we're talking about—we have to explain what it is we're trying to do.

Very recently, knowing that I would rise in debate on this bill, I visited a couple of homes in the Toronto area. I should state from the get-go that these were homes in a great area of town—college-educated adults with great jobs, well-educated children living in the homes, well-read, well-informed, and I said in every case, “Do you know what cap-and-trade is? What's cap-and-trade?” Of the four adults, three said no, and the fourth one said, “My daughter graduated in June and when the ceremonies were over, they pulled their caps off and threw them up in the air. When they all collected their caps, was that the trade?” And it wasn't a joke. They don't know what it was. No one knew.

The Minister of the Environment says that Bill 185 is about protecting our environment and his cap-and-trade plan will do that. I'll get to him in due course. I wish we were here to debate and discuss a bill whose intent is to help our environment and clean our air. Instead, what I see is the Dalton gang wanting our blessing for another tax grab with a fancy title, and I'm sick of it. Not two weeks here, and I'm sick of it.

The folks out there are just catching on, for example, to what the harmonized sales tax will mean. Now you say, “Hey, we can protect the environment if we can just pass this Bill 185,” and effectively, because of what I've just said, “Trust us. We know what cap-and-trade is. It doesn't matter if you do.” I say—well, it doesn't matter what I would say because, frankly, that word would be unparliamentary.

The McGuinty government has over-dealt its hand and the Liberal folks know—you know—that you're going to pay; you know that you're going to pay for it. The

government actually still believes that glossy headlines and repetitive spin are going to make up for the lack of substance and the lack of results. This summer, that has been underscored, and it continues to be underscored every day in this Legislature. But while Ontarians may not know what cap-and-trade is or, for that matter, a lot of the initiatives that this government takes, they have caught on to the government's MO. After a health tax masquerading as life-saving revenue, a WSIB bill as a safety initiative and an HST as our economic salvation, also known as money to enable the McGuinty government to spend till it ends, this bill cannot fool anyone.

Like I said, the public doesn't know what it is. The public wants an initiative on climate change, but they don't know what this is, and you have to explain it. These three little pages, as I pointed out earlier—two if you drop the cover—are really not going to do it. The government should be ashamed of itself for bringing such an inadequate and flimsy proposal before this House to present to the people of Ontario. I'll say again: I am not against a greenhouse gas initiative, and yes, I think cap-and-trade is a legitimate approach, just not this cap-and-trade, just not this bill, with four or six paragraphs of, “We will create something called cap-and-trade and then we'll regulate it.” Tell me what you're going to do. Maybe I'll support that if you do, but you're not.

I listened very carefully to the environment minister in his leadoff speech. I watched him carefully. If you're the McGuinty government and you're the environment minister who fronts for that government on a bill like this, you come out, you call something green and you say that it's there to protect future generations. What you're really doing is you're using it as cover for your own failings. Better still—let me be quite succinct—you put that Minister of the Environment out there to sell it for you, and I'll tell you why you do that. You do it because that particular Minister of the Environment actually looks trustworthy and he looks wise—to me. He could actually say the words, “Ho, ho, ho,” and I'd buy it.

We saw the same thing in effect when that minister introduced the pesticides bill last year in which we saw a ban—a 100% ban—on pesticide use. Then, when the regulations came out, we exempted 98% of the ban. “Don't bother about Health Canada science. It's for the children,” Mr. Gerretsen said. “It's for the children.” As a matter of fact, in answer to a question about that bill at the time in the House by me, he used that phrase again: “It's for the children.” I don't want to digress into the pesticides bill, but I do point that out because when the minister, in his leadoff speech on Bill 185, talked about the reasons for introducing it and being concerned about this, he used the same phrase: “It's for the children.” I might say that in the pesticides bill, if it was for the children, why did you exempt 98% of all usage? Do the children in agricultural areas not matter? Because there's a total exemption there. It's not for the children unless you make it work.

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Minister Gerretsen talked in very broad brush strokes, which is the innate problem of this bill. We want to

improve the environment. He spoke of the urgency and the importance of reducing greenhouse gases. He talked about seeping methane in the Arctic, as if in some way this bill would be able to address that. And he said that global climate change is something we all have to address, a fact with which I agree 100%. Minister Gerretsen is correct on that.

So what's the problem? Well, this two-page bill is as broad as a barn door. Its latitude allows the government an array of powers, but we don't quantify any of those powers. It does not do what the minister said he was going to do. It does not elaborate for an unknowing public on just what cap-and-trade is. The minister relies on the public that generally want a reduction in greenhouse gases and to therefore support a bill he says will do that: "Look, we know that there's climate change; you've got to pass this bill. It's as simple as that." I'm sorry, I cannot walk into this place deaf, dumb and blind in terms of what this bill says I'm supposed to be voting for—no specifics.

For that same public, cap-and-trade means we as a jurisdiction—and I leave it to the listener to determine what that jurisdiction is, whether it's Ontario, Ontario/Quebec, Canada, the Western Climate Initiative, North America or the world—we have to cap our carbon emissions at some level. So we cap the carbon emissions, and then it sets up a market for carbon emissions, hence the trade piece. This trade element is a form of tax by allowing carbon emissions to carry a market-based price generally set at auction. Who gets the money? Government does. Strike me dead, what a surprise. Why? Because the price of products manufactured by carbon emitters will rise and that price will be passed on to us, all of us, via the cost of the products that are created. So what's the quid pro quo? What is it? Government reduces our tax burden at the personal level in a commensurate way.

Now, has anyone in this chamber ever heard of a tax that Dalton McGuinty didn't like? So in the same sense as the pesticides bill did not and does not control pesticides—though this summer there was more asthma and hay fever, including my own acting up—this bill allows for a broad-based market system for carbon trading, but there are no stated objectives in specific terms. I need to know and the people of Ontario need to know: What are the specifics? What is it that we have to do, at what cost, to achieve what effect? And don't tell me it will be on a world scale that we'll reduce carbon emissions. I get that, but I want to know what piece of what jigsaw puzzle we're talking about.

The minister's job is to address issues on behalf of a concerned public and fix this problem. The problem here is greenhouse gases. This bill doesn't fix that. In fact, the closest the minister can come is to talk about the federal government getting our country into a worldwide agreement. That makes sense, but the bill is whistling in the wind. The minister likes the word "green," but saying it a lot doesn't make it green, and we saw that with the Green Energy Act. How does this bill reduce carbon emissions?

I'll say that again: How does this bill reduce carbon emissions? It doesn't say in any real way that it can or that it will.

I heard the minister list initiatives he claims to have undertaken, or will be undertaking, in aid of the environment. Now, you don't really want to talk about shutting down the coal plants again, do you, Minister? I don't know how those even relate to this bill, which is the very tip of a market system for carbon credit trading. He said himself what this is about: It's about a supply-and-demand system for carbon trading, as distinct from controlling greenhouse gases.

Controlling greenhouse gases by legislation, they tell us, doesn't work anymore, so now we have to have a cap-and-trade system—fine. I'm often accused of a certain cynicism in this place and today is no different. I am cynical. This is not a bill that will make any immediate or real difference in global greenhouse gas emissions and the control of them. Global warming is what we're concerned with, and we are truly concerned, but this bill is, forgive the pun, a smokescreen. This government has concerns about the manufacturing sector spewing carbon into the atmosphere. I say that you should be so lucky, considering what you're doing to the manufacturing sector.

Let's be clear: This has nothing to do with the environment. Cap-and-trade is all about reworking the tax system. And, by the way, it's not such a bad idea if you do it properly.

Let me quote from a recent publication on cap and trade put out by the Canadian Chamber of Commerce:

"The largest active cap-and-trade program in the world is the European Union emissions trading scheme. It regulates CO₂ emissions from the energy sector, iron and steel production and processing, the mineral industry, and the paper and board industry. The United States has a nationwide cap-and-trade system for sulphur dioxide ... emissions from electrical utilities.

"In both the EU and the US, emissions permits were given to industry"—and I stress, given to industry—"for free (at the start of the program) to obtain support for the system and encourage the rapid start-up of a market for trades. Providing permits for free allows firms who would not have been able to acquire credits in the auction to remain in business. For firms that would have been able to pay for permits at auction, or would have reduced emissions anyway, obtaining permits for free creates an extra benefit.... Free emissions permits are valuable assets—they increase the firm's income either by increasing revenue if the permits are later sold or by decreasing costs if the permits are used. This is a key reason why industry may prefer a cap-and-trade system over carbon taxes. 'Were all permits subject to auction, big industry may look much more kindly on a carbon-added tax.'

"A national cap-and-trade system" for Canada "would require the creation of new administrative and legal trading infrastructure, complete with new regulations and institutions to effectively enforce the system ... and a national electronic registry for issuing, holding, transferring and cancelling permits."

That, to me, is a pretty significant commitment, and it's not addressed in any way, shape or form in the bill we're debating now.

I'd like to go on just for a moment with a couple of other paragraphs from the Canadian Chamber of Commerce that address this complexity of setting up cap-and-trade on—a global basis would be too broad, but just a Canada-wide basis, let alone Ontario:

"It is preferable to auction permits at the start and use the revenue to reduce personal and corporate income taxes...." That, inherently, is what cap-and-trade is about. It's a swap of the taxation system from personal and corporate income tax dependency to a dependency on revenue generated at auction from cap-and-trade. That's the trading system, and that's the quid pro quo that we, the citizens, are supposed to get the benefit of. But we have no details being supplied by the McGuinty government or Minister Gerretsen on how this is going to be effected through Bill 185.

I'll go on from the chamber of commerce document: "This would stimulate additional economic activity, offsetting some of the negative impacts of a cap-and-trade system. Without auctioning the permits, and recycling the revenue back to taxpayers (individuals and businesses), a cap-and-trade system that increases the cost of producing goods and services in proportion to their CO₂ emissions will put Canadian industry at a competitive disadvantage relative to other countries that are not taking similar action."

So there are some specifics here in a study—this is a learned paper, a well-researched paper, which has been published by an organization with a lot of credibility, on what you have to do. And it's not a two-page, four- or six-paragraph bill that just says, "We're going to do this," it is a blueprint for how you're going to do it.

It seems to me that every time I hear mention of climate control, it is almost always referred to as global climate control. So does Ontario have a fit into global climate control? Of course it does. But you have to do this on a global basis, not just say, "Hey, cap-and-trade for Ontario: Isn't it a good thing?" Sure it's a good thing, but what are the details? The devil is in the details. Global, by definition, means "of, relating to or involving the entire earth, worldwide." And I said just moments ago that, left to our devices, if we were to invoke every single outstanding climate change treaty that hasn't been signed yet and some of the initiatives that have been implemented at this point, notwithstanding all of that, and if we go to Copenhagen in December and sign that, we're still going to have a result at the end of the 21st century of a rise in world temperature by six degrees Fahrenheit. The scientists said that; I didn't.

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That being the case, what's our legacy? Nobody in this chamber is going to be here at the end of the 21st century, but our children as old men and women and their children as younger people are, and they are going to reap the results of what we create. So let's get with the program on a global basis if we're going to create anything of a lasting and positive nature.

I have noticed that this government now includes itself in the definition of "worldwide." I agree with my colleague from Haldimand-Norfolk, who spoke at the outset of the debate on this bill. He said, "Think global, act global," and I couldn't agree more with that sentiment. Mr. McGuinty and the province of Ontario alone are not going to solve the global climate crisis, and in fairness I don't believe that they think they are. What I do believe is that they haven't enunciated the policy in a bill that carries the weight and the import that groups 13 million people, 13 million Ontarians, together and has them say, "We are onside. We want to be onside. We support this legislation because we understand the cause, and now we see the effect, and here is a solution." That's not the case.

It actually is up to the federal government to bring in some form of cap-and-trade system or other environmental policy, and it must relate to the money piece. It must relate to taxation. It must relate to a swap. The swap would be carbon emissions at a cost in auction, which is the real trading system that's being discussed on a worldwide basis, and it must include mandatory diminution of personal and corporate income tax.

This government is going to try to use a three-page bill to say, "Look at us. Look at what we're doing, and in the global context." Speaker, it's just three pages of paper. You haven't done anything when you set out a four- or six-paragraph bill that is supposed to change our entire environmental system. The minister would have you believe that that's not the case, but it is. When I saw this bill for the first time, I thought, "Well, here's a cap-and-trade system that we're initiating, and then we'll regulate it," and that's precisely what it is. So now I, along with the rest of us and all of Ontario, have to wait for that regulatory system to find out what they actually mean.

How can you expect us to take this seriously? What is it? What are the targets? What's the mechanism? What are you going to have to do to effect what you want? Claiming that this is some kind of an environmental program is nonsense. This is a lob ball over to the environmental side, saying, "Here, we're doing something. Isn't it great? Leave the rest to us." I'm not prepared to. I've seen too much of that in other legislation that this provincial government has brought forward and I need detail.

The Acting Speaker (Mrs. Julia Munro): Questions and comments?

Mr. Paul Miller: I'd like to commend my colleague from Thornhill for his wonderful, well-thought-out and researched comments. However, I'm once again going to blow my temperate image. The bottom line here is that we will see down the road where the present government and the official opposition really stand when it comes to implementing tough targets and tough emission controls on major companies. I really don't believe they will follow through and vote for implementation of programs that are really going to help the environment. I believe they will follow their business roots.

I'll tell you what's going on right now in Hamilton. Some companies have already applied to move ahead the

number of years for their compliance that has already been set forth by the government. They were supposed to have the environmental control systems in by a certain date and they were supposed to meet those targets. They will not meet those targets and they're already applying to extend it again. So here we go, delay, delay, put off, put off, and not having to spend the money.

I must say, in all the years that I worked there, when they were making hundreds and hundreds of millions of dollars in those industries, they weren't sinking a lot into pollution control. But now, when there's a recession and there's not a lot of money around, they're crying poverty. But they made hundreds of millions of dollars. They could have done it then. But they're not even doing it now; a lot of companies in this province are asking for an extension, and this government will probably give it to them, and it'll be another five or 10 years before anything is done.

So the government and the official opposition can talk environment control, they can talk pollution control. I really don't think they'll back it up; I really don't think they'll follow through with it. I think they'll follow the lead of their friends in Ottawa.

The Acting Speaker (Mrs. Julia Munro): The member from Thunder Bay–Atikokan.

Mr. Bill Mauro: I want to thank the member from Thornhill for his comments this morning, his 20-minuter. I respect the position that he has taken, but I would suggest to those who are following the debate on television and those here in the chamber, you might expect, after having listened to the 20 minutes from the member, that in fact the legislation that's before us here today would be the only thing that has come forward from the McGuinty government over the past six years relative to climate change and dealing with greenhouse gas emissions in the province of Ontario. Clearly, I haven't heard any mention about the 1.8-million-acre greenbelt around the GTA. I haven't heard any discussion around the 50-million-tree commitment that we've made. I haven't heard any discussion about the far north boreal region legislation that's before us today. A significant number of programs and legislation have come forward that deal with climate change and global carbon emissions over the past six years. They are before us and continue to come.

There's one specific one that I would like to talk about that has had a direct impact on my riding of Thunder Bay–Atikokan. The member may not be aware, but when the Conservatives did govern between 1995 and 2003, there was a very clearly articulated policy on their part that they were no longer going to be in the game of funding public transit. I'm not here to debate that particular policy. That was a position taken by the government of the day over an eight-year period, and that's fine. That was the position they took. But from the city of Toronto, in terms of their ability to move forward with mass transit projects, subway cars, light rail vehicles, it had a direct impact, and nothing happened.

We came forward in 2003 with a very clearly articulated policy to get back into the game of funding

mass transit, and I can tell you that not only has that helped ridership increase significantly in the city of Toronto, but it has also had direct economic benefit for my riding of Thunder Bay–Atikokan at the local Bombardier plant, where we now have seen close to \$2 billion worth of contracts land. Much of that work is to be done in my riding.

I think there are other pieces that have happened over the course of the last six years that perhaps the member from Thornhill might lend his mind to.

The Acting Speaker (Mrs. Julia Munro): The member from Haldimand–Norfolk.

Mr. Toby Barrett: I wish to comment on the very recent presentation by the member from Thornhill. I concur that this legislation is inadequate; I think the member used the term "flimsy." It comes in at a page and a half, if you subtract the English or the French, in contrast to the 1,500-page legislation that we are seeing in other countries.

This government is not explaining cap-and-trade to people in the province of Ontario. They are not engaged in a dialogue with respect to climate change. As the member from Thornhill indicated, we, as the opposition, support the ever-important climate change initiatives.

This government brought in a bill. Its members will not stand up and explain the bill. They don't seem to have an interest in this bill, in contrast to much of the rest of the world. I think of the very recent meetings at the United Nations General Assembly, where the president of China showed up to talk about climate change. The president of Japan, only elected six days before, showed up at the UN General Assembly to give a major speech on climate change. President Obama gave two speeches at the UN, one focusing solely on climate change. The president of France travelled to New York to present on climate change and his solution, which is the Dion-style carbon tax, as opposed to cap-and-trade. Like Japan and the United States and the rest of Europe, those countries are very interested in implementing carbon tax tariffs and protectionist trade sanctions on those countries that do not get up to speed—something I know Mr. McGuinty is worried about.

The Acting Speaker (Mrs. Julia Munro): Further comments and questions?

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Mr. Yasir Naqvi: Thank you very much for giving me the opportunity to speak in response to my colleague from Thornhill. I'm just going to say at the outset that I don't agree with his comments that just because the legislation is a few pages long, it is somehow inadequate or does not have the force or the intent which is meant for it.

I think we have to discuss this issue in context. When we talk about the climate change and greenhouse gas emissions issue, that is not an issue that is just limited to Ontario. That is an issue that is global in nature, and when it comes to the environment, we need to make sure that we are working in accordance with other like-minded regimes to create a system that works effectively.

Creating an Ontario-only cap-and-trade system which does not work effectively with other Canadian provinces or with the regime perhaps put forward by the Canadian government or our other North American partners like the United States and Mexico would not be of any real consequence or impact.

By creating enabling legislation, which this legislation essentially is, the Legislature is giving the authority to the Minister of the Environment to work with other jurisdictions, such as the Western Climate Initiative, which Ontario is part of, and other provinces, to ensure that we create a cap-and-trade system that works cross-jurisdictionally. That is the crux. When we look at the geographic boundaries of Ontario, environmental issues just do not stop there. It has to be done in a manner that conforms with a mechanism or regime that is operable in other jurisdictions as well, and that is what we are trying to do through this cap-and-trade legislation. It is the intention to create an effective system that works all across North America and hopefully globally, and that is the purpose of the legislation.

I'm very proud to stand here and support this enabling legislation which will create a cap-and-trade system in Ontario along with our other partners in North America.

The Acting Speaker (Mrs. Julia Munro): The member from Thornhill has two minutes to respond.

Mr. Peter Shurman: Thank you to all of my colleagues for the comments. They are somewhat enlightening and they're all passionate, and I recognize that.

I'd like to begin by mentioning my colleague from Ottawa Centre, who suggests, in a way, that he agrees with me by saying we have to understand that this is global. Most of what I said was to that effect, that this is global, and you don't agree with me. This is rather puzzling to me, because we're about to see debate on this bill collapse. So if you're so passionate about this, why isn't the party that has put the legislation forward standing up and talking about it and doing precisely what I said, which is elaborating on what you mean and how this piece of the puzzle fits into the global overall context? That's what I want to see.

As to my friend from Hamilton East–Stoney Creek, he talks about the fact that the Liberal Party and our party, the Progressive Conservative Party, will ultimately cave and will support business. I want to make a point perfectly clear: Number one, I know very well all of my colleagues in my caucus, and I can tell you that we are just as passionate about climate change, global warming, greenhouse gases, as the holier-than-thou NDP is. And I can tell you that this is not about business; this is not about caving to business interests. Here is what we believe about business: We believe that healthy business creates a healthy work climate. That's what we're trying to create. We don't cave to business, ever.

My friend from Haldimand–Norfolk talks about the fact that there is a need to explain cap-and-trade. That was the nub of my discourse. I want an explanation. I want to be able to vote for something not because somebody across the way tells me that there is a real

thing called climate change, there is a real thing called global warming, and I have to address this real thing by voting for whatever it is they put up that passes for legislation. That's simply not true. My friend from Haldimand–Norfolk also said that there is no dialogue with the public, and that's precisely right. The closest that that party, that government, is coming to creating dialogue with the public is you folks on television watching me and my colleagues debate this in a closed environment, and there's probably not 100 of you.

That's the problem with this legislation. This legislation is going to die probably today—go off to committee, where hopefully we'll get some amendments but ultimately we probably won't, and what will happen is we'll get a series of regulations that will create what passes for a cap-and-trade system. I've got a problem with that.

I'm glad to add my comments today, Speaker, and I thank you very much.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Gerretsen has moved second reading of Bill 185. Is it the pleasure of the House that the motion carry?

All in favour, say "aye."

All those opposed to the motion, say "nay."

In my opinion, the ayes have it. Carried.

Second reading agreed to.

The Acting Speaker (Mrs. Julia Munro): Shall the bill be ordered for third reading?

Hon. Monique M. Smith: Madam Speaker, I would ask that the bill be referred to the Standing Committee on General Government.

The Acting Speaker (Mrs. Julia Munro): So ordered.

Orders of the day.

Hon. Monique M. Smith: There being no further business prior to question period today, I would ask that we recess.

The Acting Speaker (Mrs. Julia Munro): The House will recess until 10:30 of the clock.

The House recessed from 1006 to 1030.

INTRODUCTION OF VISITORS

Mr. Bob Delaney: I draw members' attention to the west visitors' gallery where we have, from the riding of Mississauga–Streetsville, a student group visiting from the Netherlands as part of an exchange group. The students are visiting Rick Hansen Secondary and hail from a Dutch school called Sophianum. Their Rick Hansen student hosts will visit Holland next May. I welcome them all to the Legislature.

The Speaker (Hon. Steve Peters): I take this opportunity, on behalf of the Minister of Culture and page Jacquelyn McLaurin, to welcome her aunt Joanne McLaurin to the public gallery today. Welcome.

On behalf of the member from Halton and page Chantelle Colangelo, we'd like to welcome her mother,

Fiona, her father, Tony, and her godmother, Kathy Dinn, in the west members' gallery. Welcome today.

ORAL QUESTIONS

JOB CREATION

Mr. Tim Hudak: My question is to the Premier. The public accounts released late in the day Friday show, quite frankly, the McGuinty Liberals cannot be trusted to produce results for Ontario families.

Premier, on page 9 of your 2009 budget, you said your plan will be "creating and sustaining an estimated 146,000 jobs in 2009-10." Exactly how many jobs has the economy created since your budget day?

Hon. Dalton McGuinty: What I can say is that—and I may have to refer some supplementaries to my colleague the Minister of Energy and Infrastructure—there was a specific plan to build infrastructure—schools, hospitals, roads, bridges and the like, to not only create 300,000 jobs in the short term but also to enhance our economic productivity over the long term.

But there is a strong consensus on Parliament Hill, across the country, in the US, the European Union, India, China and the like, which is that it is very important for us to invest in infrastructure, to stimulate the economy. That necessarily requires that we run a deficit for the time being. We acknowledge that creates challenges in the long term, but we think it's the best thing for us to do together right now: strengthen this economy, stimulate the economy and create jobs.

The Speaker (Hon. Steve Peters): Supplementary.

Mr. Tim Hudak: It was a rather short and direct question. The Premier boasted in his budget that he'd create 146,000 new jobs this year. The reality is the Premier's so-called jobs budget has been an enormous bust.

In your budget speech, the Liberals said, "Our government has designed a stimulus package that creates jobs today." Six months and four days since promising those jobs "today," Statistics Canada reports that 74,000 full-time jobs have been lost since then, under the McGuinty Liberals—74,000 fewer full-time jobs.

Premier, why have you not created the jobs that you promised in your March budget?

Hon. Dalton McGuinty: The Minister of Energy and Infrastructure.

Hon. George Smitherman: The figures that the honourable member has quoted are based on a formula of infrastructure investment widely used here in Ontario and in infrastructure projects, in partnership with our municipal and federal governments in the country.

As the honourable member will know, this year and next fiscal year in the province of Ontario, we're making some of the biggest investments that have ever occurred in infrastructure in the history of our province. I know that the Leader of the Opposition has spoken against those, but as an example, we're looking at moving for-

ward projects such as the one in Port Colborne, which will enhance access to people in that community to sports and recreation infrastructure. The dollars invested there will certainly sustain a substantial number of jobs. Our \$16 billion in infrastructure will sustain 150,000 jobs in the construction and related trades.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Tim Hudak: Hold on a second. I asked a question, a very simple question to the Premier of this province. The Premier of the province referred all of my questions last week to the finance minister. He put out his public accounts that showed the biggest deficit in the history of the province of Ontario late in the day Friday, and then he wasn't even here to answer questions on that very budget yesterday—

The Speaker (Hon. Steve Peters): I ask the honourable member—you know the rules of not making reference to people's attendance. Thank you.

Mr. Tim Hudak: Well, let me register to the Premier the profound dissatisfaction of the official opposition with his increasingly slippery behaviour in holding this government to account here in the Legislature.

Premier, will you answer a very simple question? You promised 146,000 jobs; since then, you lost 78,000. Where is the timetable for those jobs, as you promised?

Hon. George Smitherman: I know that the mechanics may prove difficult, but interestingly, the loudest heckler over there was recently crediting our government for investments that we were making in the underlying infrastructure in Ottawa, related to a bridge. And there's another member in that party that speaks to me very often about the desire to see an additional project supported in their local community.

The point is that in many projects, some of which are in partnership with the federal government and some of which involve our municipalities, we're investing unprecedented sums in our province's infrastructure, and substantial employment in the construction and related trades occurs. The honourable member need only check in at the hiring halls to know that the building trades, as an example, are enjoying employment as we use government dollars to rebuild the infrastructure of Ontario and to employ our people.

ONTARIO ECONOMY

Mr. Tim Hudak: I've asked a very simple, straightforward question to the Premier—if he'll answer a question in this Legislature—a very simple question about your jobs plan. I'm getting no answers from the Premier; I'm getting lots of answers from a wannabe mayor of Toronto instead.

Premier, asking you back, when you took office, you started off by cancelling tax credits for seniors, you raised business taxes, and you brought in the largest tax increase on Ontario's families in the history of our province. The Premier tells us that his tax, spend and big-deficit policies are good for jobs. If that is the case,

Premier, why are you closer to breaking Bob Rae's record of 300,000 jobs lost than you are of hitting the target in your so-called jobs budget?

Hon. Dalton McGuinty: The honourable member may pretend that he is not aware that Ontario, like the rest of Canada, like the rest of the world, has been affected by a global recession, but Ontarians understand what has happened to us. They also understand that it's important for us to stimulate the economy. They understand that means that we have to borrow money. We have to run a deficit. We're being upfront with Ontarians about the deficit that we're running.

My colleague was a member of a government which surprised all of us with a \$5.6-billion deficit, which none of us were aware of. Ontarians are aware of the deficit that we're running; they're also aware of our motivation for doing that. We think it's important to stimulate the economy, to create jobs—that meets the needs of our generation at this moment in time. But we are also mindful of our responsibility to the next generation. We'll be speaking more about that through our fall economic statement and our upcoming budget, as to how we're going to deal more specifically with our deficit, which we've run for the right reasons.

The Speaker (Hon. Steve Peters): Supplementary.

Mr. Tim Hudak: In fact, I was proud to be part of a government that helped create one million net new jobs here in the province of Ontario.

I remind the Premier, in the last calendar year alone, sir, you've lost over 200,000 full-time jobs.

Premier, maybe I'll get a straight answer from you on this question. In your public accounts released at the end of the day Friday, you announced a record deficit of \$18.5 billion. Premier, give us a straight answer: Is that it? Or how deep will your latest deficit actually be?

Hon. Dalton McGuinty: Again, I want to remind my colleague that there is a very broad consensus of the need for us to stimulate the economy, of the need for us to take actions collectively around the world to ensure that a great recession did not become a great depression. I think many would argue that we have, in fact, done the right thing as part of a large, global, collective response to a global challenge. As I say, we are mindful of the dangers associated with running a deficit, but we chose specifically not to pursue the path recommended by my colleague. We did not make cuts to our schools, we did not make cuts to our hospitals, we did not make cuts to our environmental protections, and we refused to make cuts to our business partners which are looking for us to support them in a time of great challenge. That's the approach that we've brought. Again, we are mindful of the deficit challenge, and we'll be speaking more about that through our fall economic statement and the budget as well.

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The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Tim Hudak: Well, Premier, your empty promises of spending more money are not creating jobs for Ontario

families today. In fact, since your so-called jobs budget, we've lost over 70,000 jobs in the province of Ontario halfway through the fiscal year. Yes, we are part of a government that reduced the tax burden, focused on the economy and fuelled economic growth under a PC government for over a decade. When this Premier took over, he basically started out on third base and thought he had hit a triple.

To the Premier: Why did you take record economic growth and job creation and then turn it into record deficits and unemployment?

Hon. Dalton McGuinty: Admittedly, it is an interesting storyline. It has some attraction to it, but it's not founded in reality. We were all affected by a global recession. We participated in a responsible approach to dealing with it. I want to quote the federal Minister of Finance. He said, "Our government will be making a deliberate choice in the budget to run a substantial deficit. The deficit will be a temporary tool—one that allows our government to invest in a stimulus plan that injects money into our economy and delivers real benefits to Canadian families and businesses." I could not agree more, and I would recommend to my honourable colleague that he pick up the phone and speak to the federal Minister of Finance so that they're in sync once again on these important issues.

TAXATION

Ms. Andrea Horwath: My question is to the Premier. The Premier and his ministers say that businesses are going to pass on the HST savings to consumers. Ontarians remember the GST, and they don't believe that for a minute. With winter coming, people are very worried about home heating costs and what that's going to mean next year when those costs are 8% more with the HST.

My question: Can the Premier elaborate on the savings that hydro companies are going to have to pass on to consumers and whether Ontarians will actually see these savings?

Hon. Dalton McGuinty: My honourable colleague will understand, I'm sure, that the HST or its equivalent has been around for some 40 years now, perhaps 50 years. She is aware that 130 countries have adopted it. She is aware that provinces of all political stripes have adopted that as well. I'm not sure if she has had the opportunity to speak to the Premier of Nova Scotia, who heads up an NDP government there. He is not prepared to rescind the single sales tax that is now up and in place in his province.

So why is it that once governments put this in place, they don't take it away? They do that because it serves the public interest. It serves to strengthen our economy. It serves to ensure that we have the resources to support our schools, to support our hospitals and to support our environmental protections. But most importantly to our families, it puts in place the opportunity for us to create

more jobs, which is the single greatest concern for our families today—

The Speaker (Hon. Steve Peters): Thank you, Premier. Supplementary?

Ms. Andrea Horwath: That non-answer is not going to calm the fears of the elderly couple that I met up in Thunder Bay over the summer who have a \$500-a-month home heating bill cost; it's going to go up \$40 a month as a result of the HST. If hydro is anything like Tim Hortons, consumers are going to be in big trouble. Last week, the London Free Press quoted Tim Hortons senior executive Nick Javor, who said he "doubts the ability to write off sales tax on business inputs will result in savings for the consumer."

Why is this Premier playing ivory tower, head-in-the-clouds economist instead of listening to Ontario businesses and people?

Hon. Dalton McGuinty: This is a really important debate for us to have, and I think from time to time we should listen to external experts on this. A TD report, in its recent intervention in this debate, said the following: "About 80% of the expected total cost savings will be passed along immediately in the first year the HST comes into effect, with that ratio eventually reaching 95% by year three, with the full cost savings of these firms to take up to six years to feed through to consumers." So from an independent, objective third party, the advice that we're receiving is that in fact all the savings ultimately flow through, and more importantly, it does result in the creation of new jobs, which is the single greatest concern to Ontario families today.

The Speaker (Hon. Steve Peters): Final supplementary?

Ms. Andrea Horwath: Small businesses are even more worried about the impact of the HST. A CFIB survey showed that nearly 60% of Ontario businesses could not think of a single benefit of the HST—almost 60%. Meanwhile, the Premier and his caucus have their heads in the clouds. In a letter to constituents, as a matter of fact, one Liberal backbencher says that realtors should lower their fees to offset the HST, even though there are very few savings to pass on. When will the Premier come back to the real world and admit that a tax that makes life less affordable and kills some 40,000 jobs every single year is really a bad idea?

Hon. Dalton McGuinty: It's always interesting to see the leader of the NDP stand up and represent business interests in this House. I take that as progress, as a healthy evolution of the New Democratic Party of Ontario, and I welcome that.

There are great politics to be had in dealing with the debate over the harmonized sales tax. I understand that, accept that, recognize that and embrace that. But I think the question that Ontarians really want us to answer is, "What do we need to do to make ourselves stronger?" They know in their heart of hearts that getting stronger is not an easy thing. They understand that sometimes we've got to do stuff, our generation has to take on certain responsibilities which are not easy, to create a stronger

economy for the future. That's what the HST is all about. That's what harmonizing our sales taxes is all about. That's why finance ministers from previous parties who formed the government here all agree: that the single most important thing for us to do to strengthen—

The Speaker (Hon. Steve Peters): Thank you. New question.

GOVERNMENT SPENDING

Ms. Andrea Horwath: My next question is to the Premier as well. Yesterday the Minister of Finance said he expected to see belt-tightening in the coming months. He wouldn't elaborate, unfortunately, on the details, so I need to ask the Premier the question: Tell us where the people of Ontario are going to be feeling the squeeze over the next little while?

Hon. Dalton McGuinty: This is an important conversation that we would ask our colleagues to engage in as Ontarians, and more broadly as well. I think Ontarians understand where we find ourselves. We're running a significant deficit. We've run it for the right reasons: to stimulate our economy as part of a global effort in the face of a global challenge. That was the right thing to do for us, but as I said earlier today, we're also mindful of our obligation to our children and our grandchildren to get ourselves out of this financial challenge. That will call for some difficult decisions.

I'm proud of the fact that in our recent public accounts it registered less than a 0.5% increase in our expenditures in comparison to our original estimates. So we have done a good job at holding the line, but there are more difficult decisions to come, and I'm always open to advice and recommendations from my colleagues opposite.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: As Ontarians brace for the squeeze, others are doing quite well. The latest public accounts that the Premier is referring to reveal that the Courtyard Group received \$6.8 million in payments from the government last year. That's an amount that's six times greater than they received last year and the year before that. Meanwhile, the belt gets tighter across Ontario. People in Fort Erie watched yesterday as their local emergency room was shut down, and children's aid societies from Rainy River to York region are facing significant funding cuts. When will the Premier and his well-connected friends start tightening their belts?

Hon. Dalton McGuinty: When it comes to public services, we've made some dramatic new investments. Whether you look at health care, education or investments in strengthening the economy, there have been dramatic investments ranging from anywhere from 25% to 34% during the course of our mandate in government.

With respect to Courtyard, my colleague knows that we have a new rule in place now, one that the NDP government refused to put in place during its day and that the Conservative government refused to put in place during its day. We have now said that you cannot move ahead with sole-source contracts. We think that's inappropriate. We have now prohibited those. It is the

appropriate thing to do, it's the right thing to do, and perhaps it's unfortunate it wasn't put in place before by previous governments.

1050

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: Ontarians understand that getting out of this recession is not going to be easy. They are ready to make the sacrifices; there's no doubt about it. But they want their government to be balanced and fair. When the Premier is willing to close ERs, slash children's aid society budgets, but give his friends six times more, Ontarians feel cheated. Why shouldn't they?

Hon. Dalton McGuinty: My colleague knows that we've closed the door once and for all, something that no government did before, with respect to prohibiting sole-source contracts. That's done and it won't happen again. I think Ontarians also know that we have smaller classes, we have higher test scores, we have higher graduation rates and we have more teachers than ever before. They also know that we've got shorter wait times in our health care. We've got more doctors. We have more nurses. We're now tapping emergency room wait times. We're doing more to ensure that more Ontarians get access to family health care as well. So they know that we have not been a perfect government, but I think they also recognize that when we come across particular issues and particular problems, we face up to those and take steps to ensure that they don't recur.

JOB CREATION

Mr. Norm Miller: My question is for the finance minister. If a budget is about a plan, public accounts is a report on the results of that plan. On March 26 you spoke to the budget in this House and said, "To confront the current economic challenge, our government has designed a stimulus package that creates jobs today." Minister, Ontario taxpayers are still waiting for the results. Job numbers show that Ontario lost 74,000 full-time jobs over the 189 days since you said jobs would be created that day. When you said you'd create jobs, did you mean at the Liberal-friendly Courtyard Group?

Hon. Dwight Duncan: What the government said quite clearly is that like the western world, we were confronted with a declining economy that would see job loss, but that like the rest of the western world, we would invest aggressively in stimulus to create jobs, and we did that. It was the appropriate policy to undertake. There are projects underway across Ontario utilizing that money and employing people. Those people who are employed on those sites are, in turn, spending money in their communities to help with the economy. There is no doubt that there is a challenge in the economy on jobs. There's no doubt that this party has laid out a plan to help deal with that, and that plan is working.

The Speaker (Hon. Steve Peters): Supplementary.

Mr. Norm Miller: Again for the Minister of Finance: The McGuinty Liberals haven't honoured the promise

that Minister Duncan made to create full-time jobs. In the last six months the Premier lost 74,000 full-time jobs. Over the past year, Ontario is down 200,000 jobs. The minister must be familiar with the phrase, "Fool me once; shame on you. Fool me twice; shame on me." Why did the Minister of Finance say in the public accounts that he "took measures to ensure that jobs are created today," when he knows that he didn't?

Hon. Dwight Duncan: I take it then the party opposite doesn't support infrastructure investment. I would say to my colleague opposite that he is being rather selective in his reading of the budget. He will have seen throughout the budget, in the narrative and in the graphs and so on, that employment would continue to be a major challenge around the world and here in Ontario. He would see quite clearly that the stimulus we were projecting was designed to begin the process of rebuilding, recognizing that political parties and the leadership of this province, both here and in the business and labour communities, had to come to terms with the new reality, and that's what this government's done. As long as one Ontario family needs a job and wants a job, this government won't rest. He ought to support the kinds of investments we're making in infrastructure to improve the economy in the short term and improve—

The Speaker (Hon. Steve Peters): Thank you. New question.

CITY OF OTTAWA

Mr. Michael Prue: My question is to the Minister of Municipal Affairs and Housing. An article in yesterday's Ottawa Citizen suggests that political interference is once again slowing down efforts to improve public transit in Ottawa. Fingers are being pointed at this minister. My question is very simple: Will the people of Ottawa finally see progress on public transit or will this minister let his moral aspirations get in the way?

Hon. Jim Watson: I'm particularly proud of the track record of the McGuinty government when it comes to delivering funds for the city of Ottawa. Let me just talk about some of those investments. Since 2003, the city of Ottawa has received \$512.5 million in transit funding; highway infrastructure, \$282 million; municipal roads and bridges, \$47 million; the new archives—

Interjections.

The Speaker (Hon. Steve Peters): I am prepared, as I've said before, to tolerate some interjections from members, but constant interjections from certain members—and you know who you are—are wearing on me and wearing on our guests who are watching this. I would just ask that it not be the constant interjections.

Minister?

Hon. Jim Watson: The Investing in Ontario Act saw \$77 million, \$33 million of which is going to go to help clean up the Ottawa River—from raw sewage going into the river; and the stimulus fund, over \$125 million. As a result of an agreement we reached with all municipal partners, the uploading process has already begun for the

city of Ottawa. When fully uploaded, the city of Ottawa will be ahead by \$122 million. This government has delivered for Ottawa.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Michael Prue: I listened intently to the minister. By the sounds of it, this minister isn't the only member of the McGuinty cabinet considering greener municipal pastures.

Ministers and their fledgling municipal campaigns pose a real conflict of interest. Since this minister won't want to be accused of improper interference, will he set an example for the rest of his cabinet colleagues and remove himself from involvement in Ottawa municipal issues until he decides whether he's in or out of the race for mayor?

Hon. Jim Watson: Thank you for that vote of endorsement. I understand you're announcing you're running for mayor of Toronto with that little speech, so it's—

The Speaker (Hon. Steve Peters): Stop the clock for a second, please. If the members can relate back to a previous question period leading up to a September 17 by-election, I reminded everyone here that we would appreciate the campaigning to take place outside this chamber.

I also recognize that there may be aspirations of individual members in this House or people who think that people are going to run. I would ask that we confine ourselves here to dealing with provincial issues and issues that pertain to the province of Ontario and keep all the electioneering out of the chamber.

Hon. Jim Watson: Thank you, Mr. Speaker.

I'm very proud of the relationship that we have developed with the city of Ottawa. I couldn't say it better than our mayor, who said, "The province... has never in its history been as good to eastern Ontario and Ottawa as it has been over the last two years while I have been mayor. Our relationship is warm, it's co-operative and it's moving to the future. All I can say is, I'm very, very happy the city of Ottawa is working in this manner with the McGuinty government because they are coming through for the city of Ottawa." That was Mayor O'Brien in Nepean This Week in April 2008.

I look forward to continuing that strong relationship of delivering funds and services from the province to the great city of Ottawa.

TAXATION

Ms. Leeanna Pendergast: My question is for the Minister of Revenue. The wholesale trade sector plays an important role in my riding of Kitchener—Conestoga. In fact, the wholesale trades sector employs over 1,400 people in my riding. This industry includes wholesale distributors, agents, brokers of goods—for example, farm products, petroleum, food and beverage, personal and household goods, motor vehicles and parts, building materials, supplies, machinery and equipment.

Employers such as Home Hardware distribution and supply in St. Jacobs employ 1,172 people in the township

of Woolwich, and Freeman Sporting Goods employs 25 people in the township of Wellesley, which makes an incredible contribution to our community.

My constituents in the wholesale trade sector are concerned about the implementation of the HST and what it's going to mean for them.

Minister, what effect is the HST going to have on the wholesale trade sector?

1100

Hon. John Wilkinson: I thank the member for the question. I can share with her, and I hope that she'll share, the success stories that we have in her riding. Estimates show that Ontario's wholesale trade sector will save roughly \$455 million net per year as a result of our tax reforms. This includes some \$425 million a year through HST input tax credits and another \$220 million a year through corporate tax savings.

Times have changed. We're seeing the biggest global economic crisis in this world in some 80 years and we're taking bold action to ensure that we can improve the competitive position of our businesses here in Ontario as they compete for new jobs around the world. That's why it's important that we're supporting an industry which I know is so important to the member for Kitchener—Conestoga.

We have a choice: We can refuse to fix what we all know is broken, or we can take bold, aggressive steps to—

The Speaker (Hon. Steve Peters): Thank you. Supplementary.

Ms. Leeanna Pendergast: There seems to be a great deal of support in the business sector to make Ontario more competitive and to create jobs. Minister, TD Bank released a report: Harmonization will make Ontario business more efficient and lead to more investment. It will lead to higher incomes for Ontarians. Economic analysts are unanimous in predicting that harmonization will lead to a higher real GDP per person in the long run. I know that businesses such as the Ontario Chamber of Commerce are tracking association support.

Will the minister tell us if the HST will make Ontario more competitive and create jobs? My constituents are asking the question and would like to hear it directly from the minister.

Hon. John Wilkinson: The TD report that the member referenced estimates that the harmonized sales tax will reduce the cost of doing business in Ontario by roughly \$5.3 billion a year. Ontario businesses will see a \$500-million reduction in their compliance costs. We are also cutting the small business corporate tax rate by some 18%, from 5.5% to 4.5%, and we're eliminating the small business surtax. Ontario will be the only jurisdiction in Canada to eliminate this barrier to growth. We are cutting the general corporate income tax rate from 14% to 12% on July 1, 2010, and then cutting it further to 10% by 2013. We are cutting Ontario's marginal effective tax rate on new business investment in half. Currently it's about 33%; we're cutting that down to 16%, making On-

tario one of the most competitive jurisdictions in the industrialized world for new investment—

The Speaker (Hon. Steve Peters): Thank you. New question.

WINDSOR ENERGY CENTRE

Mr. Peter Shurman: My question is for the finance minister. Last Wednesday, Minister Duncan unmuzzled himself long enough to say that I should look at the 2007-08 public accounts, which report that the McGuinty Liberals spent \$50,555,000 on the Windsor Energy Centre.

On Friday, two days later, this year's public accounts came out. Why did Minister Duncan say that the McGuinty Liberals spent \$50 million on the Windsor Energy Centre when you spent \$81 million?

Hon. Dwight Duncan: I think what I said was that the member ought to look at the public accounts that were out. I think I also said that there would be further information available in the new public accounts.

As the member opposite knows, I was actually trying to be of help, because what he has suggested—he stood in his place and said that that information was not public. In fact, it was. He knows full well that there is a lawsuit with respect to the ownership of that centre that makes it difficult for me to comment. I'm glad he looked into the public accounts and followed my advice. I would—

The Speaker (Hon. Steve Peters): Thank you. Supplementary.

Mr. Peter Shurman: Again to the Minister of Finance: The public accounts that came out two days later revealed that he actually did spend \$80 million for this project in his riding. The minister is supposed to be good with numbers, heaven help us all. Would he explain how his pet project cost \$30 million more in just two days?

Hon. Dwight Duncan: I'm delighted that the member now is looking at public accounts; it was evident that he wasn't before. That's a very good thing to do. It informs public debate. I think it's always important to be factually accurate in what one says in the House. When he suggested last week that the information wasn't public, he was wrong, demonstrating that he hadn't looked at it.

The member knows that the ownership of that centre is a subject of some legal dispute and he knows that I'm not able to comment on that. But I'm delighted to see that he's in fact following up and looking at public accounts, where we've been full and transparent in all of these dealings, in the interest of all Ontarians.

YOUTH SERVICES

Mr. Michael Prue: My question is to the Minister of Children and Youth Services. On September 1, the ministry abruptly—

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock. I just reminded the members to keep municipal election-

eering outside of this chamber and I'm hearing comments from the government side.

Mr. Michael Prue: —the ministry abruptly closed a small and cost-effective youth centre in downtown Toronto. The centre had a week to transfer their youth to other facilities. The staff will be laid off on December 1.

The young people were forced out of the York Detention Centre in downtown Toronto to go to Brampton or Cobourg, far from their families, the clinical supports and rehabilitation programs that they had obtained in the cost-effective CASATTA program. Can the Minister of Children and Youth Services explain why a decision so potentially detrimental to these young people was rushed through without proper consultation?

Hon. Deborah Matthews: I'm very happy, actually, to have the opportunity to talk about this. Our youth justice system is now transformed. We now have a stand-alone youth justice system where all young people are in youth facilities; there are no more youth in our adult facilities. This is a very important change in how we work with young people who are in conflict with the law, so that they can move on with their lives in a more productive way. They have opportunity for programming for schools, for training. In fact, yesterday I visited Bluewater in Huron county, where I personally saw the impact that the right teachers and the right staff can have on kids.

You are absolutely right: We have closed two different facilities as we make the transformation to a dedicated youth justice facility.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Michael Prue: We have people here today listening to these answers: Don Adam, Deborah Satira and people from the York Detention Centre and CASATTA.

Transferring these children and youth to another city is unhelpful, expensive and myopic. Ontario's Provincial Advocate for Children and Youth is very concerned. Irwin Elman has told us, "My office feels that it would be unfortunate if young people lose contact or have diminished contact with families as a result of placements outside the city. Distance, transportation, and time are key factors that hinder the ability of parents/guardians or key people to meet with the young person." The closure also contravenes the recommendations of the David Meffe inquest, calling for youth detention centres to be smaller, stand-alone facilities. Why is the minister contravening the good advice offered by her own experts?

Hon. Deborah Matthews: Quite to the contrary, we know and act on the notion that contact with parents and contact with families is a very important component of the youth justice system. That's why we will facilitate transportation of their parents to wherever a youth is being held.

I think it's important to understand that, overall, Toronto families are being better served, because previously, before we opened the new Roy McMurtry centre in Brampton, many youth were being held in Hamilton or in Cobourg, and actually only a very small number were being held at the York Detention Centre. They will

actually be closer in Brampton than they were when they were in Hamilton or in Cobourg.

NORTHERN ONTARIO HERITAGE FUND

Mr. David Oraziatti: My question is to the Minister of Northern Development, Mines and Forestry regarding the Northern Ontario Heritage Fund Corporation's young entrepreneur program. Minister, young entrepreneurs often struggle with the initial investment required to launch their businesses. For too long, young people in northern Ontario have left home, because of a lack of opportunity, to pursue careers and business opportunities more easily found in other regions.

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One of our government's initiatives, the young entrepreneur program is making a difference in the lives of northerners by helping to give youth the support they need to develop small businesses and plan for their future.

Through the Northern Ontario Heritage Fund Corporation's young entrepreneur program, we are investing in creative and talented young business people by helping to provide the resources necessary for the next generation of business leaders to be successful in northern Ontario.

Minister, could you explain how the recent investments to this program are supporting the creation of new jobs in northern Ontario?

Hon. Michael Gravelle: Thanks to the member for Sault Ste. Marie, who is so supportive—as are all our northern caucus members—of this great program.

This past July, actually, I had a chance to attend a young entrepreneur event in Thunder Bay, where I was able to announce our government's support for four Thunder Bay-area young entrepreneurs to start up new business ventures.

The businesses included a hair salon, a specialty jewellery manufacturing business and a sled dog tourism enterprise—tremendous ideas. We were able to provide \$25,000 to each of them. We've subsequently made several other announcements of support for young entrepreneurs.

This is a remarkable program. It creates great employment. Over the course of the program we've provided \$6.1 million for up to 260 young entrepreneurs in the province of Ontario. It's just a great program that we're very pleased to be supportive of.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. David Oraziatti: Thank you, Minister. This program has had tremendous benefits in my riding of Sault Ste. Marie as well. In April we announced \$109,000 in new funding for several young entrepreneurs, including a web design business offering web hosting and animation, Graystone Environmental Services, and the Algoma Natural Healing Clinic. It's a program that's important to all communities in northern Ontario, as it helps to build economic prospects while providing incentives for young people to contribute to the prosperity of their own region.

Minister, in addition to this program for the youth of northern Ontario, I know that business owners in Sault Ste. Marie have also benefited from the NOHFC's northern Ontario entrepreneur program. It's important to support these ambitious entrepreneurs and promote job creation among all age groups as we work to ensure that new business ventures and opportunities come to life in northern Ontario.

Minister, could you explain the importance of this program and any recent investments made through this initiative?

Hon. Michael Gravelle: This is a new program, the northern Ontario entrepreneur program. It provides up to \$125,000 for entrepreneurs across the north.

The distinction with the young entrepreneur program is, young entrepreneurs have an age limit of 29. What we certainly understand, in terms of the challenges we're facing with the economy in northern Ontario, is that there are many people with some tremendous business ideas who are older than the age of 29. This program responds to that. We have received a tremendous response to that. This is as a result of recommendations made by Dr. Bob Rosehart in his report, in terms of recommendations for economic renewal in northwestern Ontario.

May I mention also the efforts of our Northern Ontario Heritage Fund board of directors, who understood that a program such as this will make a real difference in terms of people with some grand and entrepreneurial ideas moving forward.

We are very, very pleased with this program. There's been tremendous uptake. We're looking forward to making a number of very positive announcements.

AUTOMOBILE INSURANCE

Mr. Frank Klees: To the Minister of Transportation: The minister will know that there are some 400,000 uninsured motorists on Ontario roads. They're driving illegally, they are an increased safety risk and are responsible for increasing registration and insurance costs by the millions of dollars every year.

The minister also knows that even though drivers are required to make a declaration of valid insurance when they renew their driver's licence, his ministry's information system doesn't even record that information.

This past Thursday there was a debate in this House to deal specifically with his ministry's failure to record that information. That resolution called on the government to prioritize fixing that problem. Can the minister tell us when he will present us with a plan that has specific dates on which that—

The Speaker (Hon. Steve Peters): Thank you. Minister?

Hon. James J. Bradley: First of all, I want to commend the member for bringing forward the resolution that he did. I know of his very long interest in matters related to transportation. He had the privilege, as I have now, of being the Minister of Transportation of Ontario. I've appreciated the fact that in much of the legislation

and many of the regulations we've brought forward, he has taken a constructive rather than a critical approach to these matters.

I want to say that the resolution that he brought forward is one that I happen to support very strongly. I know that he will be pleased that we are working as quickly as possible—

Interjections.

Hon. James J. Bradley: It says here “as quickly as possible.” He'll want us to get it right. I know he wants us to get it right. I commend him for his ideas in this matter.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Frank Klees: That was my note to the minister letting him know I was going to ask the question.

The minister knows that over a six-year period, uninsured drivers were involved in more than 20,000 collisions in this province, killing 300 and injuring more than 10,000. Uninsured drivers were at fault in more than 80% of those accidents. More than 2,000 were impaired, nearly one quarter fled the scene and more than 1,300 had suspended licences.

The reason for that resolution was to emphasize how important this issue is for the ministry, to emphasize that uninsured drivers are not only an increased safety risk, but they are costing millions of dollars to consumers in this province.

Will the minister agree to come to this Legislature with a specific plan, with specific timelines, to address—

The Speaker (Hon. Steve Peters): Thank you. Minister?

Hon. James J. Bradley: I'm pleased to inform the member that we are currently at the table with the Insurance Bureau of Canada and the insurance industry, and we're working to create an automated insurance verification system, which I think he advocates.

We recognize the importance of this issue. An effective solution must meet the needs of the many law-abiding motorists on our roads, the insurance companies and the government. MTO, ServiceOntario, the Ministry of Finance and the Insurance Bureau of Canada are working on this initiative. We're all committed to delivering on this project. While there are some technological challenges in an information exchange between the ministry and the Insurance Bureau of Canada, we are working with the industry to resolve these issues, including the impacts to Ontario citizens.

Also, we should note that there is a fine of up to \$25,000 for a first offence and a fine of \$50,000 for a second offence and the —

The Speaker (Hon. Steve Peters): Thank you. New question?

MANUFACTURING AND FORESTRY SECTOR JOBS

Ms. Andrea Horwath: My question is to the Minister of Natural Resources. Two years ago the Tembec pulp mill in Smooth Rock Falls closed. After the mill closed,

the community created a co-op and came up with a plan to reopen the mill and provide good, green, well-paying jobs. All they needed to make a go of it was a fibre allocation, which the province had the legal authority to grant but didn't. Why did the province refuse to allocate fibre rights to the Smooth Rock Falls co-operative?

Hon. Donna H. Cansfield: I thank the member for the question. We've been working very closely with the mayor and the councillors of Smooth Rock Falls as they move forward with their intention to look at some alternatives because Tembec had moved out. As Smooth Rock Falls had other partners that were involved and as those discussions moved forward, they moved forward with Tembec.

Certainly the Ministry of Natural Resources was prepared to work very closely and indicated that many times, as I sat at the table with them—probably four or five times that we met over this particular issue—with our question always to the Smooth Rock Falls folks, “How can we help you?”

Timber allocation was not an issue, from my understanding, as we worked with them, as we moved forward. Smooth Rock Falls, in fact, determined that they themselves would withdraw from the project.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Here are the facts for the minister: The community came up with a creative plan that would have resulted in a facility that could easily shift production from pellets to lumber to biofuel, depending upon market demand. This would have resulted in job stability and saved the community from the boom-and-bust cycle of so many resource-based towns. All it needed was the fibre rights, which this province had the authority to grant under the Crown Forest Sustainability Act. Why did this government dash the hopes of an entire community?

Hon. Donna H. Cansfield: In fact, the folks at Smooth Rock Falls determined themselves to withdraw from the negotiations. We received a letter from them indicating that. There is no question that we were prepared to sit at the table with them as they moved forward.

This is a very difficult time for northern Ontario. We appreciate that there were issues around the fibre. There were also issues around financing. There were discussions, of course, with Tembec in terms of the facilities themselves.

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As I indicated before and I indicate now, this ministry is more than prepared to sit down with anyone as we move forward to help the folks in the north dealing with this very significant issue of forestry reduction. Biofibre and the biopellets are certainly one aspect, but there are many opportunities for the far north when it comes to the allocation of fibre.

AFFORDABLE HOUSING

Mr. David Zimmer: My question is for the Minister of Municipal Affairs and Housing. The economic

situation we find ourselves in in this past year has made the problems of poverty and the lack of affordable housing even more acute than they ever were. The investments our government announced in the 2009 budget will make a significant impact in meeting our affordable housing needs, but a main aspect of this investment was also to stimulate the economy and help to create jobs to help get Ontario moving again. Minister, how is our investment in affordable housing helping to stimulate the economy and, in particular, create jobs?

Hon. Jim Watson: Let me begin by thanking the honourable member, who is a former chair of Toronto Community Housing, under whose watch we saw the wonderful beginning of the revitalization of the Regent Park development. The honourable member should be congratulated for his leadership role in Toronto.

I was very pleased when the McGuinty government committed \$622 million in funding for the affordable housing initiatives that our government has undertaken, and that money is matched by the federal government for a total of \$1.2 billion. This investment will see 4,500 new affordable housing units being constructed over the course of the next two years. In addition, 50,000 existing units will be renovated or rehabilitated. As a result of this co-operative approach between the federal and provincial governments, 23,000 individuals will be employed due to this \$1.2-billion investment. It's a good investment in jobs and people in this province.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. David Zimmer: Minister, I know that your ministry and you personally have been travelling across the province consulting community leaders, housing providers and other interested advocates in developing a long-term affordable housing strategy. One of those consultations was here in Toronto. The turnout was overwhelming; over 300 people came out to the Toronto consultations alone, and over 1,000 Ontarians have participated in those consultations province-wide.

Minister, what is the status of those consultations to date, and what have you been hearing about the affordable housing issue?

Hon. Jim Watson: Obviously, when you have close to 1,000 people who have come out to the 12 formal consultation sessions, you know there's great interest. I want to thank those members of provincial Parliament who also held their own consultations in their own ridings.

What's been pleasantly surprising for me is the cross-section of individuals who are coming to these meetings with open minds and good ideas—people from the home building industry, landlords, tenants, anti-poverty activists. They're all coming together in a spirit of co-operation to bring forward specific ideas that we can build into our affordable housing program that we hope to release in the late spring.

Our final public housing consultation that I'm going to be participating in will take place later this week in Thunder Bay. I thank those close to 1,000 people who participated. Individuals can still submit their ideas and

their background from specific examples through the Ontario government website.

I thank the honourable member again for his dedication—

The Speaker (Hon. Steve Peters): Thank you. New question.

ABORIGINAL RIGHTS

Mr. Randy Hillier: My question is for the Minister of Northern Development, Mines and Forestry. I'm sure everyone in the north today will be overjoyed at the minister's earlier statement, with the success of opening the hair salon and a dog team in the north. Maybe this is his solution for the Greyhound problem up there.

Who has sovereignty in Ontario? If Ontario has sovereignty on our lands, why was the Platinex mining company forced to get a court order to enter those lands? And despite this court order, Platinex was stopped from entering their land in August. Minister, do you understand the concepts of justice and the rule of law? And, Minister, who has sovereignty on crown land?

Hon. Michael Gravelle: I trust that the member was not truly picking on the young entrepreneur program in terms of being a wonderful thing for northern Ontario.

Interjection.

Hon. Michael Gravelle: It certainly did sound a bit like that.

Certainly, as I think the member will know, our government and Platinex have agreed to engage in confidential mediation to discuss possible options to resolve the ongoing litigation between the parties. We think that's a good step forward. At the same time, our government continues very much to pursue positive, ongoing efforts to build a stronger relationship with KI First Nation as well. So we feel, indeed, that this is obviously a sensitive issue in the province and northern Ontario. We are pleased that things are moving forward.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Randy Hillier: Well, of course we all know that a year and a half or so passed before we could get any discussion. I understand why people have called for your resignation, Minister. Platinex has stood down for a year and a half while you tried to sort out differences between your government and KI First Nation. KI First Nation stated publicly on many occasions that you never approached them during this time.

Minister, does Ontario own this land or does KI First Nation? Why have you failed in and ignored that duty to consult?

Hon. Michael Gravelle: We take our duty to consult very seriously, and we have certainly met that standard and more. The fact is that throughout this process, we made it clear—and certainly I did, personally—that we felt that the best possible way forward was to bring people together to voice their concerns and to have those discussions. Again, as I pointed out in the original answer, we have come to an agreement to engage in

confidential mediation to discuss possible options in terms of resolving the litigation with Platinex.

Certainly our relationship with KI First Nation is an important one. I know that my colleague the Minister of Aboriginal Affairs will be going up to visit the First Nation later this week. Again, this is a delicate matter, one that we continue to pursue. In terms of our duty to consult, we take that very seriously.

ANTI-SMOKING LEGISLATION

M^{me} France G  linas: Ma question est pour la ministre de la Promotion de la sant  . On December 4, this Legislature passed Bill 124, a bill to ban candy-flavoured cigarillos. The bill received royal assent, also in December, yet in stores across this province, any youth with \$1.25 in his pocket can buy a candy-flavoured cigarillo. My question is simple: Why has the minister not enacted Bill 124?

Hon. Margaret R. Best: I thank the member opposite for her question. I did speak with the member opposite yesterday about this matter. I am well aware that this bill was passed on December 10, 2008. The legislation will be proclaimed, on a date yet to be confirmed, by the Lieutenant Governor.

This particular legislation amends the legislation that we have in effect now, the Smoke-Free Ontario Act: Cigarillos will be packaged in packages of at least 20. The amendment mirrors proposed changes to the federal Tobacco Act.

I also advise the member opposite that I am in touch with the federal member, and I am trying to ascertain what their position is and where their legislation is going at this point as well.

The Speaker (Hon. Steve Peters): Supplementary?

M^{me} France G  linas: Today the Canadian Cancer Society held a rally right here in Toronto called Join the Fight. Everybody knows that every three minutes, a Canadian is diagnosed with cancer. We need to do everything to fight this disease and this minister needs to do everything to fight this disease. I would have thought that the Minister of Health Promotion would like to prevent cancer. Instead, your ministry seems to be blocking this law that was passed by elected representatives. We voted in favour of this.

The Ministry of the Environment was able to go forward banning pesticides from hardware stores in a couple of months. Why are we not able to ban flavoured cigarillos here in Ontario 10 months after this Legislature voted to do so?

Hon. Margaret R. Best: We, the government of Ontario, are committed to the health of Ontarians, and we are well aware that cigarette smoking kills 13,000 Ontarians every year. We continue to work to address the issue. The Ministry of Health Promotion continues to address this issue and so does the government of Ontario.

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We are moving as quickly as we can to pass the legislation and we continue to work with our federal counterparts because they also have a similar piece of

legislation. We are going to continue to work to address the issues that concern us and the people of the province. We have a number of different programs aimed at addressing the issues relating to smoking. As a matter of fact, in this province we have—

The Speaker (Hon. Steve Peters): Thank you. New question.

WORKPLACE SAFETY

Mr. Pat Hoy: My question is for the Minister of Labour. Minister, I have heard several stories from my constituents over the past few years regarding violence and harassment in the workplace. It is clear that violence and harassment have emerged as serious issues in these workplaces. A recent Statistics Canada study suggests that one third of nurses working in hospitals or long-term-care facilities were physically abused by patients over this last year.

Both physical violence and harassment can have tremendous consequences not only for their workers but for families and society as a whole.

I know that your ministry has tabled legislation that, if passed, would require employers to put in place policies and programs to address workplace violence and harassment. Would the minister tell us more about this proposed legislation?

Hon. Peter Fonseca: I want to thank the member for Chatham-Kent-Essex for the question on this very important matter. I know that violence in the workplace has had a devastating impact on that member's community. I want to thank him for his advocacy and his help in helping us inform and shape the legislation that we have before this House.

Violence and harassment have no place in the workplace, and I want to reassure this member and all Ontarians that our government takes this issue very seriously. That's why we had a consultation that started in September 2008, with my predecessor. Through that consultation we heard the thoughts, the concerns and the need to bring this legislation forward.

Some of the champions who spoke out: Elaine Mac Neil, the president of the Ontario English Catholic Teachers Association, says, "The government is to be congratulated for making changes to the Occupational Health and Safety Act regarding workplace violence and harassment."

This is the right thing to do, and I'm proud to be part of a government that is taking action on this very important issue.

The Speaker (Hon. Steve Peters): The time for question period has ended.

USE OF QUESTION PERIOD

The Speaker (Hon. Steve Peters): The member from—

Mr. Robert W. Runciman: Leeds-Grenville.

The Speaker (Hon. Steve Peters): Leeds–Grenville. I was going to say the leader of the official opposition. My apologies.

Mr. Robert W. Runciman: I appreciate your giving me the opportunity to defer this, and really, on the suggestion of the House leader from the third party, to have a bit of time to review some history related to these issues.

As I indicated yesterday, the point of order relates to the provisions in standing orders 23(h) and (i) and 37(a) and your interpretation of those orders. Speaker, as you well know, standing orders 23(h) and (i) allow you, the Speaker, to call a member to order at any time in this House if you feel that a member who has the floor “makes allegations against another member” or “imputes false or unavowed motives to another member.” The wording is quite specific.

Standing order 37 speaks to your disallowing questions that you do “not consider urgent or of public importance.” We very much appreciate the latitude afforded to you in your responsibilities as Speaker in terms of interpreting standing orders. But as well, Speaker, I’m confident that because of your years spent on the opposition benches, you very much appreciate the limitations the current rules place on our ability to effectively hold the government to account; hence the increased importance of how you interpret and apply those very restrictive rules.

I think we all share a common goal in this House to effectively serve the people who put us here. As Ontario’s official opposition, the members of the Ontario Progressive Conservative caucus are obligated to hold this government to account using every tool available, and the most important one is question period. I would argue that Ms. MacLeod’s question yesterday dealt with a very serious issue of both urgent and public importance: Liberal government accountability of the public purse, based on public accounts information released this past Friday. We believe the taxpayers have a right to know why and how people with such clear ties to the Liberal Party of Ontario received such lucrative contracts, and they have a right to know right now.

Standing order 23(i) notes that a member shall be called to order by the Speaker if he or she “imputes false or unavowed motives”—not in general, but specifically—“to another member” in the House. After reading yesterday’s transcript, I see that Ms. MacLeod’s comments in her supplementary were directed at the Liberal Party rather than any specific member of the Legislative Assembly.

We’re obviously concerned that the interpretation of standing order 23(i) is being broadened to the extent that it will hamstring our ability to serve as an effective opposition. We need to get answers that Ontarians deserve in a parliamentary democracy, and we can’t get answers if we can’t ask the right questions.

Mr. Speaker, we recognize the enormous burden placed on your shoulders during question period, given the latitude you are allowed in rulings on the propriety of

questions. Marleau and Montpetit’s House of Commons Procedure and Practice spells out options that make your job more difficult. Under the heading “Role of the Speaker During Question Period,” this parliamentary reference guide says, “In ruling a question out of order, the Chair may suggest that it be rephrased in order to make it acceptable to the House. Or, the Speaker may recognize another member to pose the next question.” That’s what happened yesterday.

Marleau and Montpetit further state, “In cases where such a question has been posed, if a minister wishes to reply, the Speaker, in order to be equitable, has allowed the minister to do so.” This didn’t happen yesterday. Minister Duncan didn’t give any indication that he wished to reply to Ms. MacLeod’s question.

Speaker, based on the choices available to you, I’m seeking common ground for consistent rulings on similar questions in the future. I know it won’t be easy, so I thought I would offer a few past examples from this House for your consideration.

I’ll start with a question raised in the House on November 2, 2000, when Speaker Carr was in the chair. This was, I think, interesting because no ruling was even required. Ms. Lankin, in asking former Solicitor General David Tsubouchi a question about an OHIP matter under police investigation, suggested that King’s Health Centre was not being investigated because it had donated \$22,000 to the PC Party. She even named two specific MPPs who had allegedly received donations. No one objected. The question and supplementary went through and were responded to. Since Ms. MacLeod mentioned yesterday in her supplementary that Allard Johnson Communications donated money to the Liberal Party, I thought this particular example was quite fitting.

For my second example, I reference a ruling made by Speaker Edighoffer on April 30, 1987. One day earlier, on April 29, the members in the House were debating a motion to set aside the business of the House for an emergency debate. Mr. Harris rose on a point of order alleging that Mr. Nixon had imputed false or unavowed motives to an NDP member. Here’s what Mr. Nixon had said to prompt the point of order—I’m quoting Mr. Nixon from Hansard—“There would be those who would say—and they would be out of order and they might be attributing motives—that his motives are something less than pristine and that the generalissimo of the New Democratic Party, who actually signed this motion and who was not in the House when the time came for it to be presented, is calling the shots over there.”

Speaker Edighoffer ruled that Mr. Nixon’s remarks did not offend the provisions of the standing order that applied in those days. I realize that standing orders have changed somewhat over that time, but I don’t believe in reference to these specific provisions.

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Almost three years later, on April 5, 2000, Mr. Hampton tried to ask the chief government whip a question, saying he was bribed with money for his support of a candidate. Speaker Carr asked Mr. Hampton if he

would like to direct his question to “anyone else,” since the whip couldn’t answer the questions and can’t answer questions in the House. Speaker Carr further noted that questions “need to be related to provincial issues.” Mr. Hampton then asked the Speaker if he could put the question first, to let the Speaker decide if it was in order. The Speaker allowed the question and the supplementary, which included a few differently worded descriptions of the cabinet minister being offered a bribe. None were prefaced with the word “alleged.”

Last, but not least, I reference a ruling from Speaker Curling. On December 8, 2003, Mr. Wilson was ruled out of order when he asked the Minister of Finance when he was going to repay the \$35,000 in severance pay that he “took from the public purse in this province.” Mr. Wilson was allowed to ask the very same question to the very same minister in spite of being warned several times by the Speaker about the direction of the initial question.

In New Zealand, the Speaker also apparently gives second chances. If you visit the website for the New Zealand Parliament, you can access the following Speaker’s ruling. Quoting, again, from the website, “It is perfectly proper on a point of order for a member to deny a statement or action that is attributed to oneself in a question. Such a denial must be accepted and the question rephrased.”

Mr. Speaker, after hearing the examples I just provided, I hope you can appreciate our desire for clear direction from you on the phrasing of questions that relate to standing orders 23(h), 23(i), and standing order 37. This is critically important, as I know you appreciate, in terms of the ability of opposition parties today and in the future to do their jobs and hold the government of the day accountable.

The Speaker (Hon. Steve Peters): Thank you. The member from Welland on the same point of order.

Mr. Peter Kormos: I want to thank you as well for permitting this point of order. It’s a rather broad interpretation of what constitutes a point of order, and I think it’s a very valuable exercise. It’s as a result of things like this and the discussion that flows that all of us can learn at least a little bit and perhaps become better members of this Legislature.

I join with the government House leader. However, Speaker, I say to you upon carefully reading the question that Ms. MacLeod put, in particular her supplementary and your intervention, and reading numerous references, I’m satisfied that you made the correct decision, and I’m going to explain why in just a minute. And that’s where I say we can all learn from this.

If I can first refer to Griffith and Ryle on Parliament, page 777: “A different approach to the question of Parliament’s effectiveness is to ask oneself what difference it would make if Parliament did not exist at all. Parliament is not directly involved in the process of governing the country or providing the system of public administration. It has the secondary task of sustaining in office the government of the day while simultaneously performing its essential role of holding the executive accountable.”

We’ve had a fair amount of discussion the last couple of weeks in here about a distinction between ministerial responsibility and ministerial accountability. Ministerial responsibility is the individual action of that minister in response to issues that arise. Accountability is what takes place right here in this chamber, first and foremost, and can well take place via the media in the public venue.

I took a look at Beauchesne, of course; Marleau and Montpetit include the same references to the 1964 special committee on procedure, federal Parliament, and the guidelines for questions; and then an updating of that in 1986. Speaker, I think all of us understand, and you certainly do, that this is fluid. Nothing is static. Things change. Because in 1986—and I’m referring to Beauchesne at the sixth edition, on page 121:

“In 1986 the Speaker put forth further views in light of more recent conditions and precedents....

“(5) The primary purpose of the question period is the seeking of information and calling the government to account.

“(6) The greatest possible freedom should be given to members consistent with the other rules and practices.

“(7) Brevity both in questions and answers is of great importance.”

We’ll deal with that, I trust, over the course of the coming weeks and months.

But another speaker observed that the reason for brevity is to maintain the cut and thrust of question period. Literally, the language used is “to maintain the cut and thrust.” It isn’t a Rosedale tea party. It’s not an intellectual academic discussion. It’s a concentrated one-hour—perhaps many perceive it as theatre, but it’s one hour of cut and thrust, of hard-hitting questions, and I tell you, an opposition that doesn’t ask hard-hitting question isn’t doing its job because it’s not holding government to account.

I feel a need to caution about over-reference to standing orders 23(h) and (i): “Makes allegations against another member”—but I’m going to follow that up—and “Imputes false or unavowed motives to another member”—false or unavowed, Speaker. It doesn’t prohibit the directing, basically, j’accuse.

So where are we at with Ms. MacLeod’s question? I put to you that a member should not be punished for being creative in how they put a question, for being novel, for even being dramatic. Far be it from anybody in this chamber to ever try to import drama into their presentations.

Ms. MacLeod’s supplementary, “Again for the Acting Premier: The Liberals gave \$1.3 million in the past two years to the Premier’s former chief of staff at Pollara. Allard Johnson Communications, of Adscam fame, received \$3.5 million as a quid pro quo, one could assume, for donating \$20,000 to the Ontario Liberal Party—”

This, Speaker, I tell you, is where I believe you’re correct in finding that question unacceptable. Because I’m reading it—Speaker, you introduced me to David McGee and Parliamentary Practice in New Zealand, page 552. I know the Speaker spent a lot of time with David

McGee's text over the last couple of weeks. "A member cannot hint at something (whether disreputable or not) in the text of a question." I put to you, sir—and again, no disrespect for Ms. MacLeod, for whom I have the greatest regard—that what she did was hint at something. Page 552, McGee, New Zealand: "The member must come out and say what is meant, and then the question can be judged on the grounds of necessity, accuracy and authenticity." I take great guidance from McGee's statement in that regard. Sometimes we try to pull our punches so as to avoid the intervention of the Speaker, but McGee suggests that it's the very pulling of punches that makes a question out of order. A member cannot hint at something. The member has to spit it out.

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Here we are, McGee page 189, in terms of the orderliness of statements in the House: "A fine line has been drawn between suggestions that a party has been influenced in the policy it is pursuing by an outside body, which is in order, and a suggestion that it is being dictated to by that body, which is not in order." McGee would lead us to believe that it's entirely acceptable to state to this government, in an effort to hold them accountable—or to any government in any parliament—that political contributions have permitted the contributor to exercise influence. It's out of order to suggest that they are dictating policy. But McGee says it's perfectly in order to talk about exercising influence.

I, too, had staff people go through some questions over the course of years. They didn't go back to Patti Starr because I thought that would be loading this up a little bit, and I didn't want to. I was here during that period. You can just imagine what question period was like during Patti Starr. If it weren't for tough questions of the very type that Ms. MacLeod put, Patti Starr would still remain a relatively unknown north Toronto socialite.

Phillip Gillies to Sean Conway, June 15, 1987, regarding government contracts, Hugh Edighoffer—my first Speaker; I have great respect for him: "I wonder if the minister might be able to tell us a bit about one of them particularly. The Ministry of Government Services on July 17, 1985, awarded an untendered contract in the amount of \$55,000 to a company called CCA Canada. Can the minister confirm that CCA Canada was actually a subsidiary of a company known as Graham, Schwartz and Partners Ltd., whose founders and directors were Abe Schwartz and Terry Graham, and that this untendered contract for \$55,000 was awarded days after Mr. Schwartz ceased to be a director of the company and during the time that Mr. Schwartz was in the minister's office advising him on computer-related matters?" Some things never change. That was 22 years ago.

May 1998, Hampton to Premier Harris of the day on casino gaming: "The minister introduced David Nash into this. The public needs to know who David Nash is. David Nash was a fundraiser for Dianne Cunningham, who sits in the Conservative cabinet. He was a fundraiser for someone who sat in the Mulroney cabinet: Tom Hockin—I've got these for Hansard—"In fact, he was Tom Hockin's chief of staff.

"We have a Conservative political hack deciding that casino operations are going to go to other Conservative political hacks, because it's very clear that Michael French was involved in telling your government how to set up casinos. Now he's involved on the other side in getting the casino franchise."

May 26, 1998, Howard Hampton to Chris Hodgson: "We wanted to know how a third-ranked casino bid by the Falls Management team got bumped up to become the successful bidder. The bid doesn't contain a substantial convention facility, it's not what the people of the Niagara region want, and it doesn't recognize the importance of tourism to the Niagara region. However, the part-owners of Falls Management are the Latner family, who gave \$48,000 to your party in the last election. This has the appearance of influence-buying."

I could go on, Speaker, but I'm not going to belabour the point.

Mr. Frank Klees: That was ruled in order.

Mr. Peter Kormos: These were all ruled in order, the latter one by Speaker Chris Stockwell.

I appreciate the incredibly difficult job and task you have, especially during a short and fast-flowing question period, in your efforts to introduce civility here. As I say, I respect your ruling on Ms. MacLeod's question yesterday because, I think based on my reading, in a very technical way, it was bang on because Ms. MacLeod should have spit it out. She shouldn't have just hinted at the fact of corruption.

The fact is that the detection of inappropriate political influence on a government is such a critical role of the opposition parties. The government's not going to acknowledge it; they'd be damned fools if they were to. They may be fools, but they're not damned fools. I'm prepared to acknowledge that.

There are things that go on in government, especially governments that mature and become complacent and settled and established. Regard begins to get dropped, and it happens of governments of all political stripes. The opposition has to be vigilant, and the opposition has to be fearless. The opposition has to abide by the rules. So does the government.

I say to you, there are some interesting rulings and precedents out there that I hope will assist you, Speaker, in determining that while Ms. MacLeod's question may have been out of order in that very technical sense of merely hinting—and I'm prepared to spit it out from now on, to call a spade a spade—I hope that the Speaker will respond with some assistance to us. Again, we want to work with the Speaker. We want to work with other caucuses in creating a more effective Parliament. But part of the effectiveness is that important role of opposition in question period.

Thank you kindly, Speaker.

The Speaker (Hon. Steve Peters): Government House Leader.

Hon. Monique M. Smith: At the risk of keeping members here that much longer into their lunch hour, I will endeavour to speak briefly to the point of order. I

would like to thank the member for Leeds–Grenville and the member for Welland for their contributions. I would note, however, that the member for Welland did acknowledge that this was a broad interpretation of a point of order, and I would in fact say that there are two issues here before the House today and before you, Mr. Speaker.

We are responding to a point of order regarding a question that was ruled out of order, and standing order 38(a) states that “The Speaker’s rulings relating to oral questions are not debatable or subject to appeal.” In fact, what we have seen here today—and while we were delighted to see the member for Welland in all of his eloquence—is simply that we are appealing a decision that you made, which I would argue is not appealable, given standing order 38(a).

There are at least five precedents for this, and I will just give them to you briefly: April 1, 1982, debates, pages 369, 441 and 442, Speaker Turner; June 25, 1984, debates, page 2840, Speaker Jones; May 25, 1987—and this may have been one of the precedents that Mr. Kormos was also referring to—debates, page 712, Speaker Edighoffer; June 8, 1988, debates, page 4212, Speaker Edighoffer; and February 9, 1989, debates, page 8107, Speaker Edighoffer.

Ms. MacLeod’s question was out of order. You ruled such because the Speaker—as you are entitled to—was using your discretion under the standing orders to rule a question out of order because the member opposite was in danger of violating standing orders 23(h) and (i), which are the privileges enjoyed by all members of the House; which protect all members of the House from being subject to allegations being made by another member or being subject to allegations by another member which impute false or unavowed motives to another member—and in this case, a minister.

I would point out to you, Mr. Speaker, that the member for Welland went to some length to focus on the words “false” and “unavowed.” I would ask you to focus on the word “imputes.” I think it goes a long way in this discussion.

I would also note that the member for Leeds–Grenville tried to suggest that it was a defence that she imputed false allegations to the entire caucus as opposed to just one member. I would suggest that the standing orders do not allow for that either, and that if it’s a member or members, I think the interpretation is still the same. Nor is it a defence, as the member for Welland seemed to indicate, for allowing hard-hitting questions. I don’t believe that there is actually any standing order anywhere that indicates the need for hard-hitting questions.

You, Mr. Speaker, ruled on the question. You ruled that it was out of order. It was your right to do so, and you moved on. Further, in the piece yesterday during question period, I should point out that you also ruled that a minister of the crown’s response to a government member’s question was out of order. There was no point of order raised on that particular question made by the government, and we moved on.

Mr. Speaker, the second issue that I think we are dealing with here today is the opposition’s dissatisfaction with your rulings. I would submit that standing order 13(a) states, “The Speaker shall preserve order and decorum” in the House “and shall decide questions of privilege and points of order.”

Standing order 13(b) states, “No debate shall be permitted on any such decision, and no such decision shall be subject to an appeal to the House.”

Mr. Speaker, it is my opinion that the opposition continues to raise points of order, not on conduct in the Legislature, necessarily, but rather on your rulings. While it is absolutely the right of the opposition to raise points of order, once you have ruled, I would contend that the opposition should move on and that there should be no further debate on your ruling.

Thank you for allowing me to make these submissions, Mr. Speaker.

The Speaker (Hon. Steve Peters): I thank the honourable members from Leeds–Grenville and Welland and the government House leader for their comments.

I ruled yesterday and the ruling stands.

Notwithstanding the comments that were just made, as Speaker I recognize that for every ruling I make, somebody is going to be satisfied and somebody is not going to be satisfied. I appreciate the points that were made because, having had the opportunity to sit on both sides of this House, I think it is important that, as Speaker, I do provide clarification on rulings and on important issues, and I do consider this to be an issue of importance to all members of this House.

I will take the points that have been made under advisement. I will respond with clarification, and I’m prepared to do that.

I will respond, but I would just say this: I would welcome the opportunity for all members of the Standing Committee on the Legislative Assembly to take a look at some of these issues. I think one of the points that the honourable member from Welland made on the issue of brevity within this chamber and with questions is a valid one for all members. I think one of the challenges that it causes the Speaker—and we hear constantly in this House references to another standing order. I think it would be good for all members to take a collective look at what we do, but that’s an issue that I trust the House leaders may take a look at.

As I say, the ruling stands from yesterday. I stand behind that, but I am prepared to provide some clarification and look further into the points that were raised by all honourable members.

There being no deferred votes, this House stands recessed until 3 p.m.

The House recessed from 1202 to 1500.

INTRODUCTION OF VISITORS

The Speaker (Hon. Steve Peters): With us today in the Speaker’s gallery are the 2009-10 Ontario legislative interns. They are Maegan Baird, Leslie de Meulles, Paul

Di Ianni, Christiana Fizet, Matthew Gray, Yuliya Khraplyva, Aviva Levy, Beesan Sarrouh, Jonathan Trentadue and Natalie Tutunzis.

Ladies and gentlemen, welcome to Queen's Park.

MEMBERS' STATEMENTS

FRANCO-ONTARIAN FLAG

DRAPEAU FRANCO-ONTARIEN

Mr. Garfield Dunlop: On September 25, 2009, I had the opportunity to attend the raising of the francophone flag at École élémentaire catholique Samuel-de-Champlain, located in the city of Orillia. The school opened in 1991, offering the community the opportunity of a French education. Every year since 1977 it has been a tradition for all francophone schools in Ontario to honour the rising of the francophone flag. This flag was officially recognized by the Ontario government as a symbol of the francophone community in 2001.

The colours of the flag are white and green. The white represents our winters and the green represents our summers here in Ontario. Two symbols are displayed on the flag. The green fleurs-de-lys represent the unity of the French population worldwide and the white trillium represents the province of Ontario.

For the French community it is not only a flag but a way to identify the French-speaking population and the living spirit of their history throughout the years. It is a true symbol of solidarity.

Le drapeau franco-ontarien manifeste la solidarité des Franco-Ontariens et Franco-Ontariennes et leur volonté d'occuper en Ontario la place qui leur revient dans les secteurs économique, politique et culturel.

It was an honour for me to see such a gathering of French-speaking students. Their participation in the singing of the song *Mon beau drapeau* was not only a cultural experience but also a community demonstrating their pride in their French culture.

DURGA PUJA

Mr. Lorenzo Berardinetti: I rise today to bring awareness to all members of this House of a very important event I attended in my riding last weekend. Last Saturday, my wife and I walked a short distance from our home to enter what was previously an abandoned warehouse. The warehouse has been transformed now into a temple and festival location for Scarborough's Bengali Hindus. They were celebrating Durga Puja.

Sharodiya Durga Puja is a great festival widely celebrated in West Bengal, Assam, Bihar, Jharkhand, Orissa and Tripura, where it is a five-day annual holiday. Not only is it the biggest Hindu festival celebrated throughout the state but also the most significant socio-cultural event in Bengali society.

This festival celebrates life, culture, popular customs and traditions. The festival is a time for coming together, of reunion and rejuvenation, of the rebirth of piety, and the season of love, sharing and caring and worshipping the Hindu goddess Durga.

My wife and I learned a great deal about Durga, and I won't go into the details about it today, but simply put, she is an embodiment of the creative feminine force known as Shakti and exists to provide patience, have a sense of humour and be able to battle spiritually in times of great stress.

I welcome this temple into this riding, I welcome the community in the riding and I look forward to attending future events as the member from Scarborough Southwest.

WORLD SCHOOL MILK DAY

Mr. Ernie Hardeman: I'm pleased to rise today to inform my colleagues in the Legislature and the people at home that tomorrow is World School Milk Day. This morning, students from Warren Park public school in Toronto were here at Queen's Park to milk life-sized "cows" to draw attention to this important initiative. I had the pleasure of attending and milked one of the cows myself.

I was particularly interested to see awards given to schools that have participated in World School Milk Day since its inception and schools that have had 100% student participation.

Across Ontario, there will be close to one million students who'll receive free milk. I think it's great to introduce students and parents to the elementary school milk program and to teach students about good nutrition and the benefits of milk. Some of the schools in Oxford are participating, and they're very grateful to the dairy farmers. As you know, Oxford county is the dairy capital of Canada, producing the most milk of any county in the country.

I'd like to thank and recognize the Dairy Farmers of Ontario and the Ontario Dairy Council for supplying the milk for World School Milk Day. I would also like to congratulate the volunteers who have made the elementary school milk program a success in Ontario. More than 3,000 volunteers worked with individual schools and milk distributors to provide milk to students each and every day. They have made it much easier for parents to provide a healthy option at lunch and they are benefiting our schools by contributing to nutrition and helping every child learn about the world's most perfect food.

GLOBAL STICKS

Mr. Bill Mauro: Last week, in my riding of Thunder Bay-Atikokan, in the community of Oliver Paipoonge, I had an opportunity, along with Mayor Lucy Kloosterhuis, Councillors David Hearn, Allan Vis and Koen Grootenboer and my colleague Michael Gravelle, the Minister of Northern Development, Mines and Forestry, to announce a new, value-added wood products facility that will be

establishing itself in that community of Oliver Paipoonge. This particular facility will create about 15 to 20 construction jobs, I will tell you, on property owned by Bruce Hynnes, from Hood Logging. Once complete, the facility will house and create approximately 80 jobs in a facility and a company known as Global Sticks, with general manager Earl Metcalf.

I want to let people know that our government was very instrumental in the establishment of this facility, providing almost \$5 million in financial assistance for the establishment of Global Sticks in Oliver Paipoonge: \$1 million from the northern Ontario heritage fund loan, \$225,000 for an energy-efficient wood-burning boiler, and from the forest sector prosperity fund a \$737,000 grant and a \$2.9-million loan guarantee—many synergies in this project.

The facility will utilize white birch. What was very interesting to note was that Earl Metcalf, from Global Sticks, mentioned in his remarks that this product used to be produced in China. It is now unaffordable for him to do it in China. Ontario is more competitive from a cost structure. That's why he's here. That's why it's in the riding of Thunder Bay—Atikokan.

TOWNSHIP OF UXBRIDGE

Mr. John O'Toole: This Saturday, October 3, the township of Uxbridge will declare itself the trail capital of Canada. This event is scheduled to start on Saturday, as I said, at 10:30 in the morning at Elgin Park in Uxbridge. I'd like to congratulate John McCutcheon, chair of township trails, Mayor Bob Shepherd, Uxbridge council and all of those who support the pathways to health and fitness.

It celebrates Uxbridge township's outstanding network of local, regional, provincial and national trails. The festival includes information, free demonstrations and a community picnic. Uxbridge can take pride in its 220 kilometres of managed right-of-way trails for cyclists, hikers and skiers. Uxbridge township is at the convergence of the Trans Canada Trail, the Oak Ridges Trail, various trails in conservation areas and eight in-town trails.

Trails encourage good health and fitness. They support tourism and green business. They foster an appreciation of our natural environment. To demonstrate the importance of trails, the township has received permission from the federal government to name itself the trail capital of Canada.

I would urge all members to participate in this event this Saturday at Elgin Park in Uxbridge. It is an event where you should bring your boots and be prepared to walk.

RAFFAELE MONTEMURRO

Mr. Mike Colle: I rise in the House today to honour the passing of a remarkable Canadian, Mr. Raffaele Montemurro.

Ralph came to Canada from his hometown of Pisticci, Italy, choosing to settle in Ontario. Ralph was a world-class bricklayer and builder. Like so many immigrants from Italy, he helped build this great city block by block. He was a co-founder of the Medi Group of companies, which has been involved in the construction of housing and condominium projects across the GTA. He even founded and operated the Panemonte banquet hall in Etobicoke with his brother-in-law Joe Panettieri.

Mr. Montemurro loved the opportunities Canada gave him and was also a great friend of the iconic Canadian, Johnny Lombardi of CHIN radio, and worked on many volunteer charitable projects with Mr. Lombardi, who was also from Pisticci.

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Ralph also had a great love for St. Michael's College School, where four of his sons attended and graduated. He was also eventually honoured and given the Order of St. Michael for his remarkable charity towards St. Michael's College School.

He was married to his wonderful wife, Graziella, for 52 years. A wonderful family man, a builder, a lover of higher education, Ralph will always be remembered for his willingness to work, to be generous and to have a great and big heart. Ralph Montemurro, riposi in pace.

RIDING OF SAULT STE. MARIE

Mr. David Oraziotti: In recent months, we have been working together with the federal government to deliver a number of significant infrastructure projects in my riding of Sault Ste. Marie. Our government is continuing to take action to improve the economy and help ensure that this province and my community are well-positioned to be successful when the world economy recovers.

We are helping to attract and retain talented young workers to participate in the knowledge economy with a new \$16-million biosciences and technology convergence centre at Algoma University. We are protecting the biodiversity of our species and further establishing Sault Ste. Marie as a national leader in forestry research with a new \$24-million invasive species research centre. We're also improving health care delivery with the construction of a new Algoma public health building worth \$22 million, as well as a nurse-practitioner-led clinic at Sault College.

We're improving transportation through a \$10-million extension of Third Line that will allow the entire community to have greater access to our new Sault Area Hospital, which is nearly completed. And we're making Sault Ste. Marie a healthier place by supporting tourism and active living with a \$5-million expansion of the Hub trail and waterfront walkway and over \$3 million to improve local recreation facilities in our community, as well as the YMCA.

While Ontarians have had very little to do with starting the recession, we've all been affected. That's why our government is making investments that will help local families by creating and supporting jobs during this

construction season and the next while giving our community renewed infrastructure and stronger public services that will serve our area for years to come.

FOREST INDUSTRY

Mr. Gilles Bisson: Last week, the community of Smooth Rock Falls had to take what was a very tough situation and try to put a good face on it. As we know, we lost the only employer in town some three years ago. Tembec, the pulp mill that had been there for a number of years, closed down. At the time of that particular shutdown, the provincial government said to the community of Smooth Rock Falls, like they said to others, "You need to go out there and you've got to find other ways to utilize the forest so that you could have an employer establish themselves in your community for your future financial viability."

The community did. They first went out and found someone who was prepared to invest in building a cedar mill in their community. What was the problem? The government was not prepared to intervene and use the sustainable forestry development act and the authorities under the act to give the allocation of timber that that particular community needed in order to attract that investment. So the investor walked away.

Last week, another investor walked away. Fifty-five million dollars was put on the table on the part of five investors who got together and said, "We have a project that would allow us to be able to sell into markets based on what's going on in the current economic situation." When the price of dimensional lumber is high, they would sell dimensional lumber; when it's low, they would sell pellets or biofuels—an ideal situation to utilize fibre in the community of Smooth Rock Falls.

Yet again, what has happened? Fifty-five million dollars has walked away from that community because this government refuses to utilize their powers under the sustainable forestry development act that would allow them to make the wood allocations for that community's viable future.

OKTOBERFEST

Ms. Leeanna Pendergast: I rise today to highlight a good-news item, an event that has become a cultural icon across Canada and North America and takes place each year in my riding of Kitchener-Conestoga. That's right, it's that time of year again: Oktoberfest is here. I invite you all to attend this wonderful event. It begins on Friday, October 9 and it concludes Saturday, October 17.

Please come and have a great time in KW—that's the Oktoberfest experience. Around Kitchener-Waterloo, it's called *Gemuettlichkeit*, or good cheer. Friendly staff wearing traditional German tracht serving chilled beverages, sausage on a bun, baked pretzels, schnitzels, sauerkraut and of course beer nuts will show you why a visit to Kitchener-Waterloo during Oktoberfest is a must.

Link arms and join with your newly found friends in the Festhalle singing *Ein Prosit*. To help celebrate this

wonderful cultural event, I'm hosting the second annual taste of Oktoberfest right here in the Legislature at Queen's Park—Rod's over there doing the chicken dance. Please come and join me tomorrow in room 230 from 5:30 to 7:30. Oktoberfest sausages are cooking.

I would like to highlight some people who we need to thank. Our Oktoberfest partners: President Paul Buttinger; Executive Director Larry Blundell; Molson Canada; Joseph's Estate Wines; Piller's meats; and J.M. Schneider.

Help bring the Oktoberfest experience here to Queen's Park.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon. Steve Peters): I beg to inform the House that today the Clerk received the September 29, 2009, report of the Standing Committee on Government Agencies. Pursuant to standing order 108(f)9, the report is deemed to be adopted by the House.

Report deemed adopted.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Monique M. Smith: I seek unanimous consent to put forward a motion without notice regarding private members' public business.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

Hon. Monique M. Smith: I move that, notwithstanding standing order 96(g), notice for ballot item 33 be waived.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

Motion agreed to.

STATEMENTS BY THE MINISTRY AND RESPONSES

CORONER'S OFFICE

Hon. Rick Bartolucci: I rise in the House today to update all honourable members and the people of Ontario on initiatives this government has undertaken to respond to the recommendations of the Goudge inquiry and to address additional measures that will further strengthen Ontario's death investigation system.

Forensics and pathology are very clinical and exact sciences which set out to answer five basic questions:

Who died? How did they die? When did they die? Where did they die? By what means did they die? Only by answering those questions can the Office of the Chief Coroner determine whether recommendations are needed to prevent similar deaths or whether the death requires the additional scrutiny of a public inquest. We must also remember that at the heart of every investigation are loved ones who have suffered a great loss.

Significant progress has been made in the 12 months since Commissioner Stephen T. Goudge delivered his recommendations. The majority of provisions contained in the Coroners Amendment Act have been proclaimed. These include establishing the Ontario Forensic Pathology Service and establishing in legislation the chief forensic pathologist as head of the new service.

Ontario now has legislation that clearly defines the role played by the pathologist in a death investigation. Ontario's chief forensic pathologist will be responsible for registering forensic pathologists and maintaining that registry to ensure consistent, high-quality standards for forensic pathology across the province.

The Coroners Amendment Act, 2009, represents the first modernization of legislation governing the Office of the Chief Coroner in more than 30 years. It ensures a higher standard of oversight and accountability, it delivers greater public accountability and transparency as well as accessibility throughout the entire death investigation, and it establishes a framework to advance and ensure the quality of Ontario's death investigation system. Furthermore, the Coroners Amendment Act has gone a considerable distance in helping to restore public confidence in a system that once appeared closed and uncaring.

But we're not finished. One provision remains to be proclaimed: the establishment of the death investigation oversight council. This oversight council is to be made up of qualified judicial, medical and government representatives with the knowledge and expertise to advise on standards of practice and to ensure these standards are met. Both the Ontario chief coroner and the chief forensic pathologist will be accountable to this council. I will have more to say on this in the coming weeks.

The Coroners Amendment Act serves two purposes: It is the remedy to correct what was wrong with the death investigation system of the past, and it is a road map for the future.

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In the weeks ahead, the government will be proposing new regulations to govern the retention, storage and disposition of tissues. We will also be working with our First Nations partners and others to ensure that communities in the north receive adequate death investigation in a timely manner. Only by building a stronger death investigation system for the future can we finally say we have made restitution for the mistakes of the past.

Death can never be a pleasant subject. However, the death investigation system must be uncompromisingly vigilant on behalf of the deceased, as well as accountable

and sensitive to the loved ones who are left behind. I don't think there is a time or a jurisdiction in North America where a government has worked harder or done more to establish a higher standard for death investigations than right now and right here in the province of Ontario.

The Speaker (Hon. Steve Peters): Responses?

Mr. Garfield Dunlop: I'm very pleased to be able to respond to the minister on the Coroners Amendment Act and the recommendations of Commissioner Stephen Goudge. I wanted to say that in my opening remarks when we did first and second reading of the bill, I had a family in here, the Tim and Barb Farlow family, on Tuesday, December 2, 2008. I raised the concerns of this family and they wrote to me, and I read their letter as follows:

"Mr. Dunlop, we feel the coroner's office failed us. We are of the supportable position that the coroner is deliberately withholding the truth. With the scathing conclusions of the Goudge inquiry, all Ontarians are left with justifiably shaken confidence in the accuracy of the coroner's office reports.

"We feel the coroner's office has proven to be incapable of policing itself and ask that you propose adequate checks and balances are installed to ensure the coroner's office can meet its mandate."

This family counted on two cornerstones of the Coroners Act, which would enable the ministry to use checks and balances in cases where the minister did not feel comfortable with the chief coroner's decisions. As it turns out, the Goudge inquiry highlighted just why those checks and balances are needed. The two cornerstones of the Coroners Act that this family relied upon were sections 22 and 24.

"Minister may direct the coroner to hold inquest

"22. Where the minister has reason to believe that a death has occurred in Ontario in the circumstances that warrant the holding of an inquest, the minister may direct any coroner to hold an inquest and the coroner shall hold the inquest into the death in accordance with this act...."

This section has been repealed. The minister no longer may direct a coroner to hold an inquest.

The second part is with respect to section 24.

"Minister may direct that body be disinterred

"24. Despite anything in the Cemeteries Act, the minister may, at any time where he or she considers it necessary for the purposes of an investigation or an inquest, direct that a body be disinterred under and subject to such conditions as the minister considers proper."

This section has essentially been amended, and this power has been removed from the minister and granted to the chief coroner. The minister can no longer direct that a body be disinterred.

Earlier, I referred to the sections as checks and balances. I ask the minister—the Office of the Chief Coroner of Ontario was largely responsible for wrongfully sending innocent Ontarians to prison. The coroner's office proved to be, at a minimum, unable to police itself. I therefore ask, now that sections 22 and 24 have been

rewritten to remove the oversight powers of the minister, should Ontarians feel more secure today, knowing that the coroner's office has more internal policing powers than it had before and that the minister has distanced himself from the coroner's office that Mr. Goudge was so critical of?

I'd like to turn the remaining time over to my colleague Mr. Runciman.

Mr. Robert W. Runciman: I want to say, with respect to the legislation that removed the government's own responsibility for oversight, that obviously, we're hopeful that this new death investigation oversight council will have real impact, and I want to suggest to the minister perhaps the first case that we can put before this council—and I look forward to his coming statements in the next few weeks with respect to this initiative—is the case of the death of John Connelly, the son of Mr. and Mrs. John Connelly of Ottawa. Their son died in Toronto a number of years ago, and the police determined it was a case of suicide. They've subsequently indicated, through a range of their own investigations, that there is significant evidence to point to another conclusion, that his death was through murder, and they've been frustrated at every turn over the years with respect to getting an appropriate investigation conducted. They believe and I believe—and the CBC's *The Fifth Estate* did a significant investigation into this as well and reached the same conclusion as the Connellys—that this merits at least an inquest, if not a renewed police investigation into the circumstances surrounding Mr. Connelly's death.

Certainly I would hope—and I will have more to say about this in the coming weeks as well—that this could be the first case that could be undertaken by this new death investigation oversight council with respect to how the coroner's office failed to discharge its public duties with respect to this matter, I think clearly ignoring evidence that contradicted its original, patently rushed conclusion as to the cause of death of young Mr. Connelly. So I look forward to working with you and seeing how this council works out and hope it is not just another accountability dodge on the part of your government but turns out to be real and effective.

Mr. Peter Kormos: Let's put this all in context. The Goudge commission, Judge Goudge's inquiry, came about as the result of the exposure of one so-called Dr. Charles Smith, heralded as a renowned pathologist, found to have made questionable conclusions of foul play in 20 of the cases, 13 of those resulting in convictions. We're talking in the largest part about babies being murdered. I don't know if you know, Speaker, what kind of jail time a person does who murders a baby, but it's called hard time. It's about as hard time as you can get. But these are 13 innocent people, many of whom did years, wrongly convicted because of Dr. Charles Smith.

Judge Goudge said that Smith "actively misled" his—Smith's—superiors. Judge Goudge said that Smith "made false and misleading statements" in court and exaggerated his expertise in trials. Far from being an expert in forensic child pathology, "Smith lacked basic knowledge

about forensic pathology," wrote Judge Goudge in his report.

"Smith was adamant that his failings were never intentional," Judge Goudge wrote. He concludes, "I simply cannot accept such a sweeping attempt to escape moral responsibility."

But let's not isolate Dr. Charles Smith, testifying in 20 cases, 13 of them resulting in convictions. We had 20 cases of crown attorneys who I'm sure were delighted with the evidence of Dr. Smith, 20 cases where we had police officers investigating the child deaths—a horrible thing—who I'm sure were delighted at the evidence of Dr. Smith, 20 cases presided over usually by reasonably senior judges, not one of whom stopped to pause and say, "Hmm. Are this man's credentials over-exaggerated?" Crowns are supposed to be dispassionate. Their goal isn't supposed to be to convict somebody; it's supposed to be to make sure justice is served. This remarkable indifference to the concept of presumption of innocence and to the need to have fair trials without doctored-up evidence by a Dr. Smith should cause all of us great concern. Dr. Smith didn't work in an isolated little office removed from any of the other medical professions. He worked out of a hospital. He was surrounded by his peers.

Judge Goudge delivered a remarkable report. But what hasn't been addressed is the culture: one, the prosecutorial culture in which investigators and prosecutors acquire tunnel vision, focusing only on their zeal to convict somebody regardless of whether or not they're innocent, and to use perjurers like Smith. The other, quite frankly, is a medical culture wherein Dr. Smith could survive for so long. How come nobody, none of his peers, turned him in? It was just remarkable: Smith was bang on every time, every time, every time; not a doubt in his mind. I find that very, very concerning.

1530

During the hearings we heard from family after family of deceased who were treated by the local coroner's office with indifference, arrogance and rudeness, and who were basically told to mind their own business. There was a haughtiness, a superiority, from these local coroners' offices. Unfortunately, this legislation doesn't address that either.

There's still a whole lot to be done when it comes to the role of the coroner's office in this province, and it can't be addressed by legislation.

PETITIONS

TAXATION

Mr. Bill Murdoch: I have a petition to the Legislative Assembly of Ontario, signed by people from all over my riding: Hanover, Walkerton, Stayner, Port Elgin, Gorrie.

"Whereas the residents of Bruce-Grey-Owen Sound do not want a provincial harmonized sales tax that will

raise the cost of goods and services they use every day; and

“Whereas the 13% blended sales tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to house sales over \$400,000; and

“Whereas the 13% blended sales tax will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

“Whereas the blended sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

“Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the McGuinty Liberal government not increase taxes for Ontario consumers.”

I have signed this and will give it to Helen.

DIAGNOSTIC SERVICES

M^{me} France Gélinas: I have a petition from the good people of Elliot Lake and Espanola, who are asking for a PET scanner.

“Whereas the Ontario government is making ... PET scanning a publicly insured health service...; and

“Whereas by October 2009, insured PET scans will be performed in Ottawa, London, Toronto, Hamilton and Thunder Bay; and

“Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine;

“We, the undersigned, petition the Legislative Assembly of Ontario to make PET scans available through the Sudbury Regional Hospital, thereby serving and providing equitable access to the citizens of northeastern Ontario.”

I support this petition from the people of Algoma-Manitoulin, will affix my name to it and send it to the clerks’ table with page Tony.

AIR QUALITY

Mr. Charles Sousa: I have a thousand more signatures from concerned residents, led by Her Worship Mayor McCallion. We stand united on a petition that reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the Ministry of the Environment (MOE) conducted 22 months of ambient air monitoring and determined that the Clarkson, Mississauga, airshed ... area was taxed for ... particulate matter (PM_{2.5}); and

“Whereas the average annual PM_{2.5} concentrations measured in the Clarkson airshed were among the highest found when compared to data obtained from the ministry’s air quality index monitoring stations; and

“Whereas the interim 24-hour ministry ambient air quality criterion for PM₁₀ was exceeded on several occasions; and

“Whereas the study found that emissions of acrolein and acrylonitrile exceeded provincial limits; and....

“Whereas annual average 24-hour nitrogen dioxide concentrations were found to be among the highest when compared to provincial air quality index stations in the greater Toronto and Hamilton areas; and

“Whereas the MOE stated that industrial emissions may contribute as much as 25% of the PM_{2.5} concentrations in the Clarkson airshed study area; and

“Whereas the MOE stated that it would focus on achieving reductions of the target pollutants from the 57 identified emitters that currently operate in the area; and

“Whereas the Ontario Power Authority is accepting proposals from companies for the operation of a gas-fired power plant in the Clarkson airshed study area that would see a new, very significant source of additional pollution into an airshed already determined as stressed by the MOE;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That no contract be awarded by the Ontario Power Authority for the operation of any gas-fired power plant that would impact the Clarkson airshed study area.”

I affix my signature and present it to Kingsong for delivery.

DOCTOR SHORTAGE

Mr. Garfield Dunlop: “To the Legislative Assembly of Ontario:

“Whereas the McGuinty government is conducting a review of the province’s underserved area program (UAP) that may result in numerous communities across rural and small-town Ontario losing financial incentives to recruit and retain much-needed doctors; and

“Whereas financial incentives to attract and keep doctors are essential to providing quality front-line health care services, particularly in small communities; and

“Whereas people across Ontario have been forced to pay Dalton McGuinty’s now-forgotten health tax since 2004, expecting health care services to be improved rather than cut; and

“Whereas taxpayers deserve good value for their hard-earned money that goes into health care, unlike the wasteful and abusive spending under the McGuinty Liberals’ watch at eHealth Ontario;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the McGuinty government immediately stop its ill-advised attack on rural health care and on rural communities who need financial incentives to successfully recruit and retain doctors.”

I’m pleased to sign that.

HOSPITAL FUNDING

Mr. Bob Delaney: I’m pleased to present this petition to the Ontario Legislative Assembly and to thank the members of the Islamic Society of North America for

having collected some of the signatures, in particular Mohammed Ali, Khazeena Ashroff and Mustafa Iqbal. It reads as follows:

"Whereas wait times for access to surgical procedures in the western GTA served by the Mississauga Halton LHIN are growing despite the ongoing capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could" better "be performed in an off-site facility. An ambulatory surgery centre would greatly increase the ability of surgeons to perform more procedures, reduce wait times for patients and free up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2009-10 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I'm pleased to sign and support this petition and to ask page Jacob to carry it for me.

TAXATION

Mr. Ernie Hardeman: I have a petition here to the Legislative Assembly of Ontario.

"Whereas residents of Oxford do not want Dalton McGuinty's new sales tax, which will raise the cost of goods and services we use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$500,000; and

"Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families, farmers and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

Thank you very much for allowing me to present this petition.

GOVERNMENT SERVICES

Mr. Joe Dickson: I'd like to present a petition to the Legislature of Ontario.

"Whereas current changes to ServiceOntario will expand and improve access to licensing, registration, health card renewal and other services, it will also close effective and service-oriented local businesses and cost us local jobs, such as the licence office that the Donald

family has owned and operated in Whitby and Durham region for over 50 years; and

"Whereas we recognize the quality of service provided by the Donald family to be rated above the 100% efficiency level, including extended hours;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Donald family be maintained as a licence bureau of the highest quality in the region of Durham."

I affix my signature to it and pass it to Carlos. Thank you.

GOVERNMENT SERVICES

Mr. Robert W. Runciman: I have petitions with hundreds if not thousands of names on them addressed to the Legislative Assembly of Ontario.

"Whereas ServiceOntario will be terminating existing contracts with the approximately 60 independently owned and operated driver and vehicle licence-issuing offices in Ontario, we request that the Legislative Assembly stop the closures of these offices.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The most efficient method of delivering driver and vehicle licence services to the public of Ontario is through privately owned facilities. Independent operators have an incentive to provide prompt, courteous service to their customers, many of whom they have been serving for years. Replacing experienced private issuers with ServiceOntario (government) employees will, at minimum, incur unnecessary training, salary and benefits, and facility costs which must be passed on to the taxpayer. Please keep our current issuers in business and their staff employed, providing the excellent service to which we are accustomed."

1540

I'm affixing my signature in support and I am expressing my concern about this dumb, dumb move. Thank you.

The Speaker (Hon. Steve Peters): Just to remind people to read what is in the petition. Thank you.

SHARK FISHERY

Mr. Mike Colle: "To the Legislative Assembly of Ontario:

"Whereas over 100 million sharks are being brutally killed, mutilated and butchered by the abhorrent practice of shark finning, which involves the removal of the fins of live sharks and then throwing the finless, immobile, live shark back into the ocean, where it is destined for a slow and torturous death;

"Whereas sharks are a vital component of the ocean's interconnected ecosystem, leading ecologists to warn that rapid decreases in shark populations will disturb the ocean's equilibrium and upset the ecosystems of the oceans of the world;

"Whereas the practice of shark finning can have disastrous effects on other fisheries;

"Whereas the United Nations General Assembly ... has noted that the decline in the shark population could have 'an impact on broader ecosystem functions';

"We, the undersigned, urge the Legislative Assembly of Ontario to support the prohibition of shark finning and to call upon the federal government to support the prohibition of this cruel act ... in light of the unconscionable, wasteful and inhumane methods used to obtain shark fins" in this country.

I support this petition and affix my name to it.

The Speaker (Hon. Steve Peters): The member from Durham.

TAXATION

Mr. John O'Toole: Thank you very much, Mr. Speaker, on a personal level here. I read a petition from the riding of Durham which reads as follows:

"Whereas Premier Dalton McGuinty is increasing taxes yet again with his new 13% combined sales tax, at a time when families" are struggling "and businesses can least afford it;

"Whereas by 2010, Dalton McGuinty's new tax will increase the cost of goods and services that families and businesses buy every day. A few examples include: coffee, newspapers and magazines; gas for the car, home heating oil and electricity; haircuts, dry cleaning and personal grooming; home renovation and home services;" condominium fees, "veterinary care and pet care; legal services, the sale of resale homes and funeral arrangements"—to end it all;

"Whereas Dalton McGuinty promised he wouldn't raise taxes in ... 2003.... However, in 2004, he brought in the dreaded health tax, which costs upwards of \$600 to \$900 per individual. And now he is raising ... taxes again;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government wake up to Ontario's current economic reality and stop raising taxes on Ontario's hard-working families and businesses."

I'm pleased to sign and support this and give it to Ava, one of the best pages here in the Legislature.

TAXATION

Mr. Bob Delaney: I would like to read a petition that was handed to me by members of the Peel Fountain of Youth Seniors Club. I especially thank Rupert Kydd, Selwyn Roberts and Margaret Austin for having collected the signatures. It reads as follows:

"Whereas a retail sales transaction in Ontario should not be subject to two separate taxes, at two different rates, under two sets of rules and payable to two different levels of government; and

"Whereas Ontario will implement a comprehensive package of income and business tax cuts in 2010, which

will especially benefit working families and retired seniors; and

"Whereas the income taxes of Ontarians will be cut permanently, seniors will receive double their former property tax credit and other permanent savings will flow to Ontarians; and;

"Whereas the cost to businesses to produce goods will go down permanently as embedded sales tax is permanently eliminated from the business cycle, enabling these businesses to lower business costs and pass savings along to their customers; and

"Whereas these measures represent the most comprehensive tax reform in a half century, enabling Ontario to be the most competitive place in North America to create jobs, move, grow and operate a business;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario and the members of the Ontario Legislative Assembly swiftly enact Ontario's comprehensive tax reform measures, including the move to a single sales tax in Ontario, as proposed in the province's 2009-10 budget."

I'm pleased to sign and support that and to ask page Elizabeth to carry it for me.

TAXATION

Mr. Norm Miller: I have petitions with thousands of signatures on McGuinty's sales tax, and it reads:

"To the Legislative Assembly of Ontario:

"Whereas the McGuinty government is planning to merge the 8% provincial sales tax and the 5% federal sales tax; and

"Whereas the new 13% sales tax will be applied to products and services not previously subject to provincial sales tax such as gasoline, home heating fuels, home renovations, haircuts, hamburgers, television service, Internet service, telephone and cell services, taxi fees, bus, train and airplane tickets, and dry cleaning services; and

"Whereas rural and northern Ontarians will be particularly hard hit by Mr. McGuinty's new sales tax, as will seniors and families;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government should remove the new sales tax from its 2009-10 budget."

I present this petition and sign it.

TAXATION

Mr. Peter Shurman: I have here a petition to the Legislative Assembly of Ontario from some good people in the great riding of Thornhill.

"Dalton McGuinty's plan to blend the PST with the GST into one 13% harmonized sales tax (HST) represents one of the largest tax hikes in Ontario history, at a time when families and businesses can least afford it;

"This new tax, which we are calling the DST (Dalton sales tax), will raise the cost of a long list of goods and services not previously subject to the provincial sales tax including:

"—electricity, home heating oil and gas at the pump;

"—haircuts, newspapers and magazines, Internet and cable;

"—home renovations, heating and air conditioning repairs;

"—accounting, legal and real estate fees;

"—condo fees and new home sales; rents will also go up;

"—minor hockey registration fees will increase; green fees and gym fees will also be taxed;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government not impose this new tax on Ontario's hard-working families and businesses."

I agree with this petition and affix my name.

ORDERS OF THE DAY

TIME ALLOCATION

Hon. Monique M. Smith: I move that, pursuant to standing order 47 and notwithstanding any other standing order or special order of the House relating to Bill 201, An Act to provide for review of expenses in the public sector, when Bill 201 is next called as a government order the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment and at such time the bill shall be ordered referred to the Standing Committee on Finance and Economic Affairs; and

That the Standing Committee on Finance and Economic Affairs be authorized to meet on Thursday, October 1, 2009, during its regular meeting times for the purpose of clause-by-clause consideration of the bill; and

That the deadline for filing amendments to the bill with the clerk of the committee shall be 5 p.m. on Wednesday, September 30, 2009. On Thursday, October 1, 2009, at no later than 5 p.m., those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. The committee shall be authorized to meet beyond the normal hour of adjournment until completion of clause-by-clause consideration. Any division required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 129(a); and

That the committee shall report the bill to the House no later than Monday, October 5, 2009. In the event that the committee fails to report the bill on that day, the bill shall be deemed to be passed by the committee and shall

be deemed to be reported to and received by the House; and

That, upon receiving the report of the Standing Committee on Finance and Economic Affairs, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading, which order shall be called that same day; and

That, when the order for third reading of the bill is called, one hour shall be allotted to the third reading stage of the bill, apportioned equally among the recognized parties. At the end of this time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That except in the case of a recorded division arising from morning orders of the day, pursuant to standing order 9(c), no deferral of the second or third reading votes shall be permitted; and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

The Speaker (Hon. Steve Peters): I'd just ask if the honourable member would clarify the fourth-last paragraph: "which order"—you said "shall."

Hon. Monique M. Smith: "Which order may be called that same day"? Yes.

The Speaker (Hon. Steve Peters): Thank you. I just wanted to clarify that.

Ms. Smith has moved government notice of motion 138.

1550

Mr. Bill Murdoch: On a point of order, Mr. Speaker: I listened intently to what the member said, and I noticed at the end there's only an hour left for just the recognized parties. At one time, it used to be recognized parties and others in the House. I wonder if they removed that. Have they removed that from it again or not?

Interjection.

Mr. Bill Murdoch: It's a clarification, because it was there at one time. I know that the government of the day did add that, and now I'm just wondering if it has been taken out again.

The Speaker (Hon. Steve Peters): I thank the honourable member for the point of order. On those occasions when we have had an independent member sitting in this House, that clause has been added. But as we, at this time, do not have an independent member sitting in the House, that clause is not contained in the motion.

Further debate?

Mr. Peter Shurman: I'm a little shocked, I must say, to listen to the rules of the game on this particular time allocation motion, because it sounds to me, if I can distill what we just heard into 10 seconds or less, like we'll be back here on Monday with one hour between all parties to figure this thing out on third reading. What I'm hearing today is that I can't debate Bill 201 in the way that I'd like to, with a full 20 minutes. So I've got eight minutes to talk about a closure motion, a time allocation motion which really does nothing more than add insult to

injury as far as I'm concerned and as far as my party is concerned.

The government loses control on expenses; it feigns concern about losing control; it changes the rules of the game on oversight by handing it over to the Integrity Commissioner's office, and then it stifles debate. So what's the point? It's going to pass at the end of the day, and we really don't have very much to say about it. This bill, as far as I'm concerned, is not about public sector expenses review. This is about, and we should have called it this too: Closing the Barn Door After the Horse Has Bolted Act, or It Wasn't Me Act, or Good Cop Bad Cop Act—and guess which one of those cops Dwight is. It is patently ridiculous.

I was there at the news conference, the media conference called by Minister Duncan in late August, and I remember his words very well when he talked to the media about what had happened at the OLG. The three salient words were: "I am disappointed." He said, "I am disappointed." You're darned right he was disappointed. I think he was disappointed in the fact that his party was found out—found out about the fact that they were out of control and still are.

As much as I respect the Integrity Commissioner's office, I don't think that what we're debating here today, either the time allocation motion or the bill itself, is going to change very much. I think that is sad for Ontarians and sad for me.

The whack-a-mole game continued the next day as the Premier popped up and said, "I've got the fix. We're going to change the rules of the game," and we got Bill 201. Who are they kidding? You fix things like this before they happen.

I didn't spend most of my life in private business, as a senior executive, looking to an office of some commissioner somewhere to decide on whether the expenses that the people who reported to me were being accurately reported or not, whether things were being tendered properly or not, whether people were buying a coffee on the company or not. I relied on their integrity, and the rules of the game were clear. That's not what has happened here.

They got caught. It's that simple. The Liberal government is off-loading responsibility and accountability to the Integrity Commissioner's office, but first let's cut off debate on that. That's what we're doing here today. We know the Integrity Commissioner's office, and I say what I'm about to say with no malice. I respect Ms. Morrison and her staff, small though it may be. We all know this office, because we just had a deadline pass by in which we, as members of provincial Parliament, had to complete our own reports on our own self-worth. I've had that protoscopic examination now; all of you as well.

I would remind people that we, at our level—which is relatively small compared to some of the people who work in the boards, agencies and commissions of the provincial government—don't have any significant expense reimbursement. We can't have so much as a glass of wine with a normal dinner. We earn about a buck and a

half an hour if you take all of the hours we work and you divide them into the salary that we're paid. I'm not complaining, but if that's the case for us, and we have to go through the Integrity Commissioner, and that Integrity Commissioner can do that or is doing that with a staff of approximately eight, what is the government's plan that has not been elaborated to us? How many people have to be hired in order to look at and review expenses and all of the financial machinations that go on at the level of approximately 80,000 different employees in all of these boards and commissions and so forth?

In ministries, the minister and a boatload of deputy ministers and assistant deputy ministers have control and they have procedures, and they blew it. We're talking about Minister Caplan and Minister Smitherman and Minister Duncan, and we're talking specifically about the OLG and eHealth, and more to come.

The Premier wants this office of a scant eight or nine to oversee the expenses of practically all employees of provincial boards, agencies and corporations, and we can't even debate it further than to say this simple truth, and the truth is that this bill is nothing more than a band-aid. They will tailor the injury that the band-aid is going to cover sometime later on.

In the private sector, department heads are responsible for the expenses of their subordinates. They're held to strong account, and it's done in a very transparent way. There are forms on file, electronically and on paper, and they are responsible for their subordinates to their superiors, to their vice-presidents, to their boards and to their presidents and CEOs. When this same transgression occurs, as it undoubtedly will at some time in the coming months and years within some board or agency or commission in this government, and the Integrity Commissioner is bypassed, what kind of legislation will we see then?

A similar pattern to what goes on in private industry ought to be followed in government where the buck stops with the Premier, or at the very least with the minister. The minister is, in the context of provincial affairs, the same as the head of any corporation. You could call a minister a CEO and you wouldn't be wrong. So you start to ask yourself, what is it that they do? Instead, the Premier and his ministers don't want the buck. They are passing it to the Integrity Commissioner. And now we're being told that we have 40 minutes in total per party to address this, and that's it. That's all.

Outside firms are often hired to investigate irregularities that come to light in companies and to make recommendations that prevent their recurrence in the future. The summer of scandals and the bill debated show that Premier McGuinty and his government have a different system in mind, a system that allows for uncontrolled spending, a culture that encourages irresponsibility and legislative manoeuvring that will allow them to weasel out of accountability for the agencies that they have been entrusted to oversee. They do so by invoking the Office of the Integrity Commissioner and providing no details whatsoever on how that office is going to be modified so as to deal with this huge and very daunting task.

In closing my portion of this debate, I just want to repeat that this adds insult to injury in my mind because I've had a very few minutes to speak my mind on the issue of the bill. I am appalled that we are looking at closure, much less third reading, come Monday for one hour for all parties combined. Thank you.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Rosario Marchese: It's good to have the opportunity to speak again on this bill. I had 10 minutes. I just want to elaborate a little more. I want to welcome the citizens to this parliamentary channel. It's Tuesday, September 29, and it's 4 o'clock.

Interjection.

Mr. Rosario Marchese: For those watching, for the future and those who might just want to know the time and date and so on.

I was listening to the member from Thornhill and I do agree with a lot of what he said, but I disagree with another fundamental part of what he talked about, and that is how much faith he puts in the private sector, because I don't have that kind of faith. I look at what has happened in the United States with the subprime economic fiasco. The whole world is suffering as a result of it. This is the private sector in whom we put so much faith. They're above reproach. They can do no wrong. In fact, they fill out the forms and they fill out the expenses real nice. Everything is clean, no problemo.

1600

They caused the financial fiasco for the whole entire universe in the US, through the subprime mortgages. Who was watching those people? Who was minding the store there? Where are the people, where are the governments that should keep an eye on these people while all of our pensions, most of the working men's and women's pensions, whatever they had, disappeared in a couple of days, a couple of weeks, a couple of months—gone. And we worry about tidbits and tea and stuff. It's embarrassing. I understand people ought to worry, to care, to get angry about the tidbits and the tea.

Who was minding the store in the subprime mortgage scandal? Were these people willing—hungry for money, because these investment folks want money in their pockets for themselves—to allow the free market system, an entire economic system, to collapse in a month or two? Who's watching them? Where are the watchmen and watchwomen, watching the private sector as they fill out the forms for the tea that they have, and the biscuits and so on. Nobody.

I get awfully agitated when I hear comments about why the private sector is so great and the public sector, of course, is subject to so many wrongs and so many ills. It's that kind of debate that infuriates me a little bit, because I worry about how we manage our economies and how people are affected by those decisions.

I even became concerned that Bush—your Republican friend, my Tory friends—became a socialist in a month. I couldn't believe it. And then Harper embraced Bush, no problem, when he had to say, "Yeah, we've got an

economic problem." He became a socialist in a month or two, too. He said, "Yeah, yeah, we've got to spend, we've got to spend on this." Bush says okay. Obama now says it's okay. Harper says it's okay. Everybody else says it's okay.

Even Harper, who is a fine Conservative, is okay on spending on infrastructure all of a sudden. He never wanted to spend a cent until his financial friends across the border collapsed the system, and all of a sudden we've got to bail them all out. We've got to bail them out. They have a trillion and a half in deficits. We've got to bail out all of the financial friends Conservative folks have—and many Liberals, of course, too.

Mr. Randy Hillier: The NDP doesn't have any friends.

Mr. Rosario Marchese: We don't have friends at that level, with the big, big trillion-dollar buckets—you know, the kind of bucket that has a trillion dollars in it. We've got little buckets of quarters and dimes and stuff. Those are the kinds of friends we've got.

It was a funny thing to see Bush become a socialist in a month. I roared with laughter. It cracked me up. I just couldn't believe it, that they have so much faith in the private sector. And then all of a sudden, "We've got to bail them out. You understand it, because if we don't bail them out, everyone will suffer. Everyone will suffer if we don't bail them out."

Then we rehire these people, the very same people who collapsed the financial system, rehire them so they can get their bonuses and they can get the big paycheques. We wouldn't want to hurt their financial interests, you understand, because these people are good at what they do. We need them. We've got to rehire them, because these people know what they're doing—the very same people who collapsed the system. I'm telling you, it just drives me wild.

So yes, then I get to these public sector indiscretions. I understand that taxpayers get really angry; citizens get angry too. I understand, I really do. They get angry over the little things. They don't even get angry on the big stuff; they get angry on the little stuff.

Me, I get angry over paying some consultant \$25,000 for writing a speech. What the hell is that? What kind of a speech? Is it laced with gold or something? Do they write with a gold pen, with real gold? How can you pay anybody 25,000 bucks for a speech? I would fire somebody just for doing that. I would fire the deputy, the assistant deputy, directors, and then I would fire the minister on top of that as well. I would fire a minister who needs somebody to write him a speech for \$25,000. Fire him—gone. That's what I would do. That's egregious, I am saying to you. It's an egregious—

Interjection.

Mr. Rosario Marchese: The private sector does it better, yes. They write their own speeches. They don't hire consultants at the private sector level; they just do it themselves because they're good, right? They're good. They know what they're doing. Yes, of course.

I'm saying to you, is shuffling this thing to the Integrity Commissioner going to solve the problem of the

\$25,000 speech? I don't think so; I just don't think so. Do I believe the minister should do a better job of it? Yes, I really do. I really do believe accountability—and the member from Thornhill and others said this as well. I agree with that part. I really believe ministers are charged with the responsibility to do that job well and they are charged with the responsibility of oversight of boards, agencies and commissions. They might have an arm's-length distance; I understand that. But you are ultimately responsible as the minister and you are ultimately responsible to make sure that people spend wisely, because it belongs to the citizens of Ontario and, yes, to the taxpayers of Ontario.

When the system fails, you are responsible. There are times when you might have to fire a minister or two to teach the whole cabinet a lesson, to teach the whole government a lesson, to teach all MPPs a lesson. You may have to do that from time to time if that's what it takes. If you have not taken preventive actions to tell your deputy minister that many of these things, these abuses that have happened, will not be tolerated, then the abuses continue.

My view is that we haven't done that job. These abuses, as I said to the member from Brant the other day, happen under all governments; they do. That's why I hate to just attack the government that is there at the time. You happen to be there as Liberals now and you've got to take the abuse because you're in charge, but everyone has done it. Every government has been guilty of these things. And rather than take responsibility for that, we run from it. So now we create a bill, Bill 201, called the Public Sector Expenses Review Act, and we charge the Integrity Commissioner with having oversight over 23 agencies, boards and commissions. All right.

My sense is that most of you Liberal members don't have a clue how many more bodies the Office of the Integrity Commissioner is going to need to be able to do this job. I suspect you don't have a clue, but I suspect some of you will admit they're going to need people. But why do you do that and why would you do that rather than saying, "You, Ministers, take responsibility for this and do the job"? The reason you don't do that is because you're afraid to accept the responsibility for the failure of these abuses. Rather than saying, "It has happened under our watch and it will not happen again," the way you protect yourself and shield yourself is to say, "We're going to give more responsibilities to this body. Now they're charged with it and we are free, we are absolved of responsibility, because this responsibility is no longer ours; it belongs to the Integrity Commissioner." And if it doesn't work, then who gets attacked or blamed? It's the Integrity Commissioner, not the government.

My point is, we should be brave enough, tall enough—or short enough—and strong enough to be able to accept responsibility for the problems that happen under our watch. It happens all of the time. When fear sets in, we find ways of avoiding responsibility and shrugging it off to some other office. I just think it's a profound mistake. So I'm going to be put in a position by some Liberal who's going to say, "Yes, but do you

support this bill or not?" As I said yesterday, this is a reductionist argument. It doesn't help to say, "Do you support it or not?" That's not the argument for me. The argument is not whether or not this is the right way to do it, and if you don't support it, you're not supporting public scrutiny. That's not the argument. Public scrutiny should happen, and it should happen under the surveillance and the responsibility of ministers.

1610

I would have preferred, if you had to do something, to give more responsibility to the Ombudsman than the Integrity Commissioner, with all due respect. This is not something they should be doing. The Ombudsman could have easily done this job if you wanted to hand it over to someone, but you're afraid of the Ombudsman. That's why the Liberals are not doing that, and so they hand it off to another office. If you really wanted a watchdog, a watchman or a watchwoman, the Ombudsman's office is the place to go, because every time that he, this officer, has dealt with an issue, he has dealt with it in a way that brings respect to the job, that opens up the books in a way that says to the minister, "Here are the problems." Then it's up to the government to say, "Yeah, this is good. We're going to do it. We agree." Or you might disagree and say, "We're not going to do it." But the Ombudsman has delivered incredibly good reports that make us all accountable. It's about making us all accountable. Unfortunately, it happens to make the government more accountable than the rest, and that is why you're afraid of the Ombudsman. But that would have been the place to go, and it's a shame.

I find it often repugnant to have to either vote for a bill or against, and to be put in such a position with this kind of bill. You are put in a position that if you say no, they say, "Ah, they're against scrutinizing people's expenses." And if you vote for, it's as if to suggest that what has happened before should be forgotten. If you say yes, it's as if you are saying that this is the right place to do it and everything will have been done correctly and you need not fear or worry any longer. I hate to be put in that kind of position. That's the politics of these kinds of bills, and the bills do this over and over again. When they do little things, they put many of us in a position to have to say, "What do we do with that? How can we appear to be against something that appears to be good?" all for the sake of expediency and getting this thing out of the way. I find it abhorrent, often, and repugnant to be put into those positions. But that's the nature of politics and I'm a bit saddened by it.

Others have commented that there are a number of other agencies that have not been added to this list, and they wonder why. If you do support this as Liberal ministers and MPPs, why haven't you put in the Ontario Securities Commission? That's a question that one of my colleagues asked. It's a good one. This is a good one that you might want to put in there as well, and for many different reasons, because I've got to tell you, we have a bone to pick with this Ontario Securities Commission, because they lay 200 charges a year for abuses for insider

trading. We're talking about big bucks, right? This is where people in the know exchange information about what they should be investing in, and it's crooked and they should be charged. The commission lays very few charges on these people who make a whole lot of money on inside knowledge that involves big, huge amounts of money, and so if you've got that kind of knowledge, you can let a few friends know what they should do in order to be able to make more. Very few charges are laid. Every now and then there is a fine, a little slap on the wrist, and bye-bye, it's gone. I would love to see a little more scrutiny on that one in terms of how well they're doing the job. It might not be such a bad idea, given that you're going to do this, to scrutinize their expenses as well. Why not add one like that?

So the omission offers questions for us in terms of why you did that and why you would not have included it. I'm not sure whether any one of you has answered that question by way of the omission, but it would be good to listen to any Liberal who might speak to that.

Interjection.

Mr. Rosario Marchese: Sorry, Michael. Michael, are you speaking?

Mr. Michael A. Brown: I'm talking to my friend.

Mr. Rosario Marchese: Oh, your friend, yeah.

So these are my comments on the bill. I'm not quite sure whether this will solve some of the questions I raise. I don't think it will. I think it's a way of shrugging it off and hopefully, in the minds of the Liberal government, this problem will disappear. I'm not quite sure.

I'm going to leave time for my friend from Timmins—James Bay, who will be speaking in a very short while. Madame la Présidente, thank you for listening.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Bill Mauro: I'm happy to continue the discussion this afternoon in relation to the Public Sector Expenses Review Act, 2009. If passed, it would empower the Integrity Commissioner of the Legislature to review the expense claims of senior officials.

I think it's important to remind people that the Integrity Commissioner is an independent officer who reports not to the government but back to the Legislative Assembly of Ontario and would be in charge of, should this legislation pass, 22 of Ontario's largest public agencies, boards and commissions.

We've heard a bit about, unfortunately from both parties that have spoken so far, the implication that this task would be significantly onerous and perhaps beyond the scope and ability of the Integrity Commissioner's office to perform. The member from Thornhill referenced it and the member from the third party just spoke about it as well. The member from Thornhill I think used numbers somewhere approximating 80,000. His colleague from Parry Sound—Muskoka this morning I think used a number in the hundreds of thousands.

These are 22 of the largest agencies in the province of Ontario that will be affected, should the legislation pass. I'm told that the number is somewhat closer to around

400 individuals who would be affected, should the legislation pass, who would have to file their claims with the Integrity Commissioner. I don't stand here knowing for sure that that will be the number, but that's the range and approximation that have been given to me. So the continued use of language in either the hundreds of thousands or the tens of thousands, or just by implication, saying, "We don't know how many it will be," and that the Integrity Commissioner's office wouldn't be able to handle it, I think is a bit misleading.

This legislation will require those officials of those 22 agencies to abide by the same level of accountability that cabinet ministers and political staff must follow under the Cabinet Ministers' and Opposition Leaders' Expenses Review and Accountability Act. Senior officials in these 22 agencies would be required to pay back expenses if the commissioner determines that all or part of any expense is not proper. The commissioner could also recommend other remedial action if she determines that it is warranted in any particular case.

We're not wasting any time in putting the act into force, should it pass. The act would apply to expenses that were incurred on or after September 1, 2009. As part of the legislation, the commissioner will prepare an annual report on her review of these claims, and that report will be made public for all to see—transparency and accountability.

Since coming into office, our government has taken many steps in law to make the workings of government in this province more open and understandable to the public. Yesterday, during my 20 or 30 minutes, I had an opportunity to reference some of these, and I think they're important to repeat: In 2007, we implemented the requirement for the Ontario government to report on the province's finances before elections are held. Those of us who have been around since 2003 remember very clearly why that's an important amendment that we brought forward. Before people vote in an election, they will know exactly what the finances of the province of Ontario are, not like what we found out when we came to government in 2003, after being misled that in fact the books were balanced, and we found and inherited a structural deficit of \$5.6 billion.

During the years 2004 to 2006, Hydro One, Ontario Power Generation, the province's public universities and utilities were all brought under Ontario's freedom-of-information laws. In 2004, the government passed the Audit Statute Law Amendment Act, which broadens the powers of the Auditor General to review public sector organizations. The Auditor General has a crucial role as the impartial investigator of government actions and policies. These are all things that we brought into force and expanded before this particular piece of legislation.

The government is well aware that Ontario is facing many new economic challenges these days and that every dollar counts and should be used wisely. The government has always required its public servants, whether they are elected, hired or appointed, to act responsibly with the public money that is entrusted to them.

The Premier has made several public statements recently on this subject and has introduced a number of new requirements. Expenses for senior management in the Ontario public service, cabinet ministers, political staff and senior executives at Ontario's 22 largest agencies will be posted on a website for everyone to see. The number of random audits of expense claims will be increased to ensure that the rules are followed. External auditors who examine the books of Ontario's agencies, boards and commissions will be required to review the expense practices of those entities to ensure that the rules are followed and that good controls are in place. As many know, there are somewhere in the neighbourhood of 630 or 650 agencies in the province. The government will develop mandatory online training for all OPS employees and staff at the 22 agencies to educate them about filing expense claims properly.

1620

Regarding Bill 201, the government consulted with the Integrity Commissioner as the legislation was being drafted, and the commissioner has taken up the cause. Under the act, the commissioner would review and approve the expenses for senior executives at each of the government's 22 identified largest agencies. While this will increase the workload of the Integrity Commissioner—that's acknowledged—we know the office will be up to the task, given it's expected that it will be about 400 filings, or in that range.

The commissioner's office has been reviewing the expenses of cabinet ministers, opposition leaders and staff since 2002 and is well qualified and experienced to assume these new duties. Currently, the commissioner is responsible for five key areas in the province: the integrity of members; public service disclosure of wrongdoing, commonly called whistle-blowing; review of expenses filed by cabinet ministers and opposition leaders; the ethical conduct of staff employed by ministers' offices; and the registration of lobbyists.

The vast majority of Ontarians who are employed in the public service act responsibly as regards their expenses, but unfortunately, a few have not, and that's why we're taking the steps outlined in Bill 201. Perhaps when the other parties are speaking, they can tell us, when they had their terms in office, what pieces of public accountability and transparency they brought forward: the Conservatives in their previous eight years and the NDP in their five. I'd be interested to hear some of that discussion.

These actions are designed to shine a light on any inappropriate expenses so Ontarians will know who exactly is spending what and how. The steps that our government is taking will make it easier for everyone to know what the rules are for claiming expenses and harder for those rules to be broken with impunity. Each person who works for the taxpayers of Ontario must take responsibility for knowing the rules and following those rules, and our government will continue to take this responsibility for improving and enforcing those rules very seriously.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Randy Hillier: It doesn't give me any pleasure to rise today and speak of this closure bill. Once again, we're debating closure, time allocation, and not Bill 201, and it's clear to me that this Liberal government certainly will not allow democracy to interfere with their agenda.

As I watched and listened to the government House leader introduce this time allocation motion, I wondered and thought and looked at just how depressing that must be, to be a member of this Legislature and to bring in a motion that is harmful to your constituents' scrutiny and harmful for democracy. It really must be a depressing lot in life to have to bring in legislation and motions that harm democracy.

I'd like to start just on this closure debate and read a little something from the former chief justice of Ontario's high court, the Honourable James C. McRuer. He said:

"The theory underlying democratic government is that when legislators make the law, the rights of the individual" and society "will be safeguarded through the public debate and public vote in the Legislature." However, "When subordinate bodies, such as Lieutenant Governor in Council or commissions or boards legislate" and administer those safeguards, "the rights of the individual" and of society "provided by public debate and public scrutiny are removed."

That was from a former justice of Ontario's high court. He chaired a royal commission back in the 1970s about agencies, boards and commissions and what we ought to do to protect society and protect those democratic underpinnings.

Clearly this Liberal government doesn't read much, except for maybe the funnies or whatever is in today's paper, maybe the headlines, but we have seen a clear understanding of how things ought to be working. This closure bill on Bill 201—let's remind ourselves: Bill 201 only affects 22 agencies, boards and commissions out of 650. Now, the government says they are 22 of the largest, but they have forgotten, of course, to include things like the local health integration networks, who have their hands on a significant amount of public resources for health care.

What's common with all these agencies, boards and commissions is that they are unelected, they're unaccountable, and this Liberal government refuses to provide any direction. Whenever the opposition—as soon as we begin to open a door and shed some light on the activities of these ABCs, the Liberals rush to closure and slam the door on public scrutiny.

Here's a list: 650 agencies, boards and commissions, and none of them have ministerial oversight. Just as I read earlier, that removal of public scrutiny diminishes and undermines democracy.

I'd like to say a few other things about what is happening here. The Liberals really have raised this ability to hide to a new level, to a new art form. This ability to slough off and hide behind these agencies is something that I've never seen the likes of. And we can see that this

summer of scandals by the Liberal Party is certainly turning into an autumn of secrecy now, with closure bills and this rush to hide behind closure.

I'd also like, for the members opposite, just to read one other little comment that I think is appropriate. It was written by a French parliamentarian in the mid-19th century. It goes like this: "In the" political "sphere an act, a habit, an institution, a law produces not only one effect, but a series of effects. Of these effects, the first alone is immediate; it appears simultaneously with its cause; it is seen. The other effects emerge only subsequently; they are not seen; we are fortunate if we foresee them.

"There is only one difference between a bad" politician "and a good one: the bad" politician "confines himself to the visible effect; the good" politician "takes into account both the effect that can be seen and those effects that must be foreseen.

"Yet this difference is tremendous; for it almost always happens that when the immediate consequence is favourable, the later consequences are disastrous, and vice versa. Whence it follows that the bad" politician "pursues a small present good that will be followed by" a greater evil, "while the good" politician "pursues a great good to come, at the risk of a small present" danger.

That's what I see with the Liberals, this Liberal government: They have no foresight; they have no hindsight. They are too busy looking at their feet, and this is why they continue to trip and stumble from scandal to deficit to closure. This Liberal government is pursuing a course to hide immediately, to have that immediate benefit to themselves without care for the consequences of their actions.

I find it atrocious that this Liberal government, faced with scandals, instead of standing up and protecting the citizens and protecting the taxpayers' money, hide to closure and appease people with this, so insignificant that 22 agencies and, as the member from Thunder Bay said, possibly 400 people will come under scrutiny. These Liberals ought to be ashamed of that motion they brought in the House today.

1630

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Jeff Leal: It's a privilege, I guess, to get a few words on the record this afternoon. When you look at the history of this country, you go back, of course, to the 1870s, and there was the famous specific scandal with Sir John A. Macdonald and the railroad contracts. The government of the day was put under close scrutiny because of that activity. Then you look toward the 1920s, and there was the famous Beauharnois scandal involving the King government, dealing with public works contracts in the province of Quebec. I just remind myself today that one of the greatest scandals in Ontario political history was in the mid-1950s, the famous NONG scandal, the northern Ontario natural gas pipeline that cost two ministers in the Frost cabinet their jobs, because those two ministers were holding shares in NONG. That, of course, was part of the great pipeline debate in Ottawa, as

the pipeline was going to go through northern Ontario to provide gas service to northern Ontario.

So this is not something that any political party that has had the privilege of government has been immune to, and none of us, of course, take the situation last summer with eHealth, and of course the Ontario Lottery Corp., lightly. We all find that very disturbing—certainly when somebody who makes \$400,000 a year feels that it's the right thing to do to charge \$1.28 for a coffee at Tim Hortons.

Bill 201 is of course a response to that: to provide the Office of the Integrity Commissioner—I know I had dealings with the Honourable Coulter Osbourne, who was the Integrity Commissioner, and certainly the acting one, Lynn Morrison, who I think does a terrific job and will bring 22 agencies, boards and commissions, approximately 400 people, under the scrutiny of that organization.

Indeed there was reference earlier, when agencies, boards and commissions were reviewed in the 1970s in the province of Ontario, and that came about because of the proliferation of agencies, boards and commissions that occurred in the 1950s, into the 1960s and 1970s. We fail to realize that such bodies as the St. Lawrence Parks Commission, the Niagara Parks Commission and other agencies of that sort were created in the 50s and the 60s, and there was a review of them in the 1970s. We certainly expect them to be accountable.

My goodness, the other day I was reading an article in the *Globe and Mail*. It was the 10th anniversary of the sale of the 407, prior to the 1999 provincial election. Well, if there was any deal in the province of Ontario that should have been reviewed, it was that deal, because we know today that the people in the Spanish consortium that own the 407 are enjoying their piña colodas today in Madrid and reaping their rewards from the sale of the 407. We know that that wasn't scrutinized in depth in the province of Ontario.

We believe on this side that it's important to get Bill 201 into place, to provide that increased scrutiny, because at the end of the day I think we've all been disappointed from time to time. When we put faith in public officials to do the right thing, from time to time a very small group of those public officials that we put our confidence in betray that confidence. We've witnessed that with eHealth and with the Ontario Lottery Corp., and on two occasions we have now taken, I believe, decisive action through Bill 201, and we will be adding, of course, resources that will be necessary to the Office of the Integrity Commissioner to make sure that we review those 400 individuals who hold the top positions in those agencies, boards and commissions.

We just feel that it is the right thing to do. I know my constituency office in Peterborough had a number of inquiries dealing with the activities at both eHealth and the Ontario Lottery and Gaming Corp. It's interesting. One of the people who I served with at Peterborough city council, Councillor Jack Doris, is now putting through a motion at Peterborough city council to have the mayor,

councillors and senior staff of the city of Peterborough post all their expenses online so that the citizens have an opportunity to scrutinize the expenses of their city councillors and senior staff. We see that this is a way to increase accountability and scrutiny for people who are filling our positions of leadership within these 22 agencies, boards and commissions that you and I and the taxpayers of the province of Ontario indeed put faith in.

When that trust is betrayed, certainly they should pay the price of that betrayal. I think one of the ways that will increase scrutiny is through the elements of Bill 201, and through the time allocation motion, we will make sure that we implement this bill as quickly as possible to improve the scrutiny. It's something that, when I get to the East City Coffee Shop in Peterborough—it's on Hunter Street. I know the member for Durham knows where it is. When you have the opportunity to sit down and chat with folks there, they're certainly very concerned about this issue, about eHealth and about the Ontario Lottery and Gaming Corp. They also mentioned some excesses that occurred with the government of Canada—the privacy commissioner, Mr. Radwanski, who certainly had some very questionable expenditures in his office, and other agencies, boards and commissions in the government of Ottawa.

It is certainly incumbent upon us to bring in the necessary mechanisms to increase scrutiny of expenses that are made by these senior officials in the Ontario Lottery and Gaming Corp., eHealth and other agencies, boards and commissions. It's something that needs to be done as quickly as possible, and I think all of us will indeed benefit when this bill is passed and we can get this process in place.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Robert W. Runciman: I appreciate the opportunity to participate in this debate. The member speaking prior to me, from Peterborough, said that we'll all benefit from quick passage. I think what he's talking about is the Liberal Party of Ontario benefiting—from the political fallout related to the spending scandals associated with the Liberal government, the McGuinty government, and the fact that we heard about \$25,000 for a speech, an expenditure by the CEO of eHealth. But I think what's even more serious with respect to this is the untendered contracts. We're talking about millions and millions of taxpayers' dollars, in the midst of a recession, going to Liberal-friendly consulting firms across the province.

What's really behind the debate here today is the government's rush to close down discussion, to shut off debate with respect to these scandals that have occurred under their watch as government, and the culture of entitlement that has grown within their government and infected their agencies across government, as reflected by the scandals at OLG and at eHealth. That's what this is all about. They're eliminating our opportunities to put those concerns on the record with respect to debate in this place, and as well, when the committee reviews the legislation, they're very strictly limiting the amount of

time that the committee can consider these important issues.

That's what this is all about, shutting down the opposition. We talk about accountability. I mean, this is to laugh about. Accountability—what they're doing is cutting off accountability. They don't want to be accountable for this mess. They should be held accountable, but they're trying to eliminate opportunities for the opposition to point out and emphasize their accountability for what's happened in the past six years under this Liberal government. This is what it's all about.

1640

I talked in question period with the Speaker on a point of order related to the limitations placed upon the opposition to hold the government accountable in question period. There are so many rules in this place which really hamstringing our ability, and one of them, of course, with a majority government, is that they have a hammer, and that hammer is time allocation. They're using it more and more frequently to shut down and close off debate on important issues that matter to each and every Ontarian. That's what's happening here.

There are a whole number of issues related to this, accountability being just one of them. I know that one of my colleagues, during discussion yesterday, raised the principle of ministerial responsibility, which is a long-standing principle within Parliaments across the world. But we have seen that principle not only eroded by the McGuinty government but really put into the garbage can, eliminated completely. Ministers are no longer held responsible for anything.

We've seen the Minister of Health, Mr. Caplan, who has been responsible for scandals at OLG and at eHealth, and he's still sitting in that chair, with the car and driver, the comfortable extra salary, all the perks that go along with being a minister of the crown: no responsibility whatsoever, apparently, for what goes on in the ministries that he had carriage over. He's the guy who appointed the new boards at OLG, the new chairs. He's the guy responsible for the appointment of the eHealth board, the people who were supposed to provide that oversight. The buck should stop at his desk, a minister's desk. But in this government they avoid all responsibilities. They shove it off to some other agency and say, "We wash our hands. We're not at fault here." And of course, if scandals occur in the future, they'll be able to say, "Well, again, you know, this wasn't our responsibility. The Integrity Commissioner failed to do his job, or someone else failed to do their job"—never a minister of the crown, never the Premier of the province, responsible for any of the failings or scandals that have occurred over the past number of years with this Liberal government.

I know they are quick on their feet to criticize the former Conservative government, but I'll tell you, when it came to ministerial responsibility, the Premier of the day, Premier Harris, was very clear: If there was a question about ministerial responsibility and an activity that occurred within that minister's area of responsibility, he or she stepped aside until the matter was clarified. I was

one of those ministers who stood aside, so I can get worked up about this issue, because we did the correct thing, the responsible thing, in keeping with the history and traditions of parliamentary democracies throughout the world. But this McGuinty government has just tossed that principle, that tradition, out the window.

And to add, I would say, insult to injury, we take a look at who has carriage of this legislation. Who is the minister responsible for this so-called accountability legislation? It's the Minister of Government Services. And just who is the Minister of Government Services? Well, he is the only member in the history of this chamber to have been censured by the Integrity Commissioner for breaching the Members' Integrity Act.

Can you imagine the lack of common decency within the Premier's office when they came up with this brain-storm: "Let's get this out of our bailiwick, shovel it off to the Integrity Commissioner, and put it in the lap of Minister Takhar," the one man who has been censured and reprimanded by the Integrity Commissioner for breaching the Members' Integrity Act? What gall. What an offence, not just to this place but to the people of the province of Ontario—a true and deep insult.

I can tell you we are certainly going to vote against this legislation. We think it's wrong-headed. We think it's irresponsible on the part of this government. It offends us on so many levels that I personally get very emotional about this, given my history in this place, and with respect to the whole issue of ministerial responsibility.

I think it's shameful on the part of the government and some of their backbenchers who stand up here and support this. They are doing their "Yes, ma'am. No, ma'am" role here instead of doing the right thing for a change and standing up on behalf of hard-working, taxpaying Ontarians.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mrs. Liz Sandals: I'm pleased to be able to speak to the motion today, and I'd like to start off with some comments about our government's approach to accountability, because when you listen to some of the comments by the opposition, you would think that this was a whole new topic that we've just come to lately.

In fact, one of first things we did when we came into office was amend the Auditor General Act—as you well know, Madam Speaker, because you were on public accounts for many years. We amended the Auditor General Act to give the Auditor General increased responsibility to audit the accounts of transfer partners like school boards, universities, community colleges, hospitals, and also some of the major agencies, places like Hydro One and Ontario Power Generation.

The auditor, in his annual report, has been working his way through a number of these transfer partners, a number of the agencies. What's interesting is that as he has passed through these various transfer partners and agencies, the thing that he has most often looked at in his first pass-through has actually been their purchasing

policies. What the Auditor General has found is that many of these agencies, in fact, do not have purchasing policies, procurement policies, that are up to the standards of the Ontario public service.

For example, we dealt with school boards, and when we reviewed school board purchasing policies, found that they were not up to government standards and had quite a back-and-forth conversation with the public accounts committee and school boards getting those policies up to standard. That has gone on with a number of agencies and transfer partners; Hydro One, we looked at their purchasing policies and had the same conversation at public accounts and the same directives to improve their purchasing policies and bring them up to government standards. So this has been an ongoing conversation.

I must say that I want to note that sometimes, as those transfer partners have fallen into competitive procurement policies, in fact there has been negative feedback from the community. I think of my own local school board that, following that direction, went to a competitive procurement policy for school buses. It's interesting that what happened was that some of the local folks were quite offended that you would do this on the basis of best price and that some of the contracts for buses moved from firms in a rural part of the county into a Guelph firm, and there was a major kerfuffle. I know that the member from Wellington-Halton Hills, who was speaking yesterday about how dare we not make sure that all contracting was competitive, actually spoke out against competitive procurement in our own neighbourhood. I just want to emphasize that this is an issue that we have been dealing with since we took government, but, in fact, some of the opposition members have spoken out against it when we actually enforced that.

If we then move on to this spring, it became quite clear that there were some things going on at a specific agency, eHealth, in terms of expensing practices and procurement practices—that is, hiring consultants without any sort of a competition—that were clearly unacceptable. Nobody is saying that what went on at eHealth was acceptable. We know that what was happening at eHealth was clearly unacceptable. I think I've been in the House now about three times when this topic has been debated, and it has been debated on a number of other days as well. There's been quite an expansive debate. What I heard a number of the opposition members say is, "You know, you're just doing one piece of this. You're not dealing with the procurement issue." The biggest issue at eHealth was the fact that eHealth gave a consulting contract without there being a competitive bid, what we call sole sourcing a contract for consulting. If you just listen to the debate in this chamber, you would often think that we haven't done anything about that particular problem. Well, in fact, nothing could be further from the truth, because back in the late spring, early summer there was a directive that went out to all government agencies saying, "You must follow Ontario public service procurement policies, you must have competitive procurement and, in particular, you must not have sole source consulting contracts."

1650

So, in fact, contrary to what a lot of the opposition members have said, we've already dealt with that. We dealt with that back in June and July. At the same time we were dealing with that, we also dealt with expense policies. We said to all the agencies, "You must follow the Ontario public service expense policies," which are much stricter than the policies that eHealth was following and, it turned out, that a number of the other agencies were following. But we've already said to all these agencies, "You must follow Ontario public service expense policies." We said that months ago.

So why is this particular bill here? Why is Bill 201 before us now, the bill that we're actually debating? The problem is: Who's going to double-check that those expense policies are being followed? What happens in the Ontario public service is that managers check managers, or at least check the people who work for them, and the directors check the managers, and the ADMs check the directors, and you work your way up the management chain. People approve the expenses, vet the expenses of the people who work below them and make sure that they are following the rules. In fact, that's what will happen now that we've said to all the agencies, "Follow the rules. Here are the rules." That's what will happen in the major agencies, too.

But when you get to the top of the heap, the question is: Who's going to vet the expenses for the people at the top of the heap? The Integrity Commissioner, if I can put it this way, has already been given the responsibility of vetting the expenses of the people at the top of the heap. That would be cabinet ministers, people like me, parliamentary assistants, the ministerial staff, because the political staff of ministers don't report to the deputy minister. So for years the Integrity Commissioner has been given the responsibility of vetting the expenses of the people at the top of the heap.

That's what this bill does. We cleaned up the rules back in June and July. All this bill does, really, is say that somebody needs to check the people at the top of the heap. So for those 22 agencies that are quite significantly large agencies, the senior management at those agencies will have to have their expenses vetted by the Integrity Commissioner. To make that happen, we have to change the law. That's why the bill is here. It's pretty simple. It doesn't need weeks and weeks and hours and hours of debate. The Integrity Commissioner will have the authority, so we don't have to come back to the Legislature again, to expand that responsibility to other agencies, if necessary, over time by regulation. So we've taken care of the question of if in the future you need to think about more than just those 22 agencies. There's also a responsibility that all these expenses, both the cabinet ministers', the political category, and those of the senior people at the agency, will go online so that the public can see what's going on. So this is an open and transparent process.

There is no reason that you would give this to the Ombudsman, as some of the members have suggested.

The Ombudsman's mandate, as you well know, Madam Speaker, is to look at the services that are offered by government to the public. This isn't a service that is being offered by the government to the public; it's not in the Ombudsman's mandate. It is in the Integrity Commissioner's mandate to check the expenses of people who are senior in our government and who don't report to deputy ministers. We are simply following through and being totally consistent with the way things are being handled. I support the motion before the House. I support the bill.

The Acting Speaker (Mrs. Julia Munro): Further debate.

Mr. Toby Barrett: In addressing this time allocation on Bill 201, the Public Sector Expenses Review Act, I start off by stating the obvious: the respect that we in our caucus have for the work of the Integrity Commissioner, certainly my own confidence in the role that office would play in ensuring accountability. However, under our system of responsible government, a system that has been in place since the 1840s, there's never been a requirement to have another body take over responsibility for cabinet ministers or the Premier. There's never been a need for cabinet ministers to abdicate responsibility in this way.

Just to back up for a minute, I have to say that there's little doubt in my mind that this bill and this time allocation to me represent yet another knee-jerk response or reaction to further the distraction away from the recent summer of scandal. I feel that I speak for members of the opposition when I say it's disturbing, on our return to Queen's Park, to see government bungling of not one scandal but two scandals in which millions have been squandered, not only by eHealth but by OLG, the Ontario Lottery and Gaming Corp. I find it disillusioning. It's disillusioning for many members; it's disillusioning for voters, for us as Ontarians. When political office is sullied by scandal, it further disconnects between government and the grassroots represented in our local ridings. Every member in this chamber gets taken down a notch with respect to public esteem, especially when the Premier tolerates a politician such as the Minister of Transportation, of reputation known, identified as being egregiously reckless a number of years ago; and the Minister of Public Infrastructure Renewal and the Minister of Health getting themselves involved, getting their ministries involved, in these kinds of scandals.

This is a price that we all pay. We all pay under this government. It's a price I'm not willing to pay, not for this Premier and not for this government. So I do regret the low levels of respect for elected members that this engenders, respect that has declined because of this recent indication of a lack of responsibility within our historic system of responsible government.

Despite the bad reputation unscrupulous ministers give elected representatives, I feel very strongly about some of my boyhood heroes. Many were politicians. One was the Lone Ranger, of course, but I think of my grandfather, who was a federal MP after the war. He assisted several

federal MPs who had been held in very high esteem in my area. I think of the Knowles boys, Evans Knowles and Bill Knowles, and of course of someone who spent many years in this Legislature, the Honourable Jimmy Allan. They were politicians who took full responsibility for their book of business.

1700

We do recall a few years ago the then Minister of Transportation. He got caught running his business on government time. At that time—and I will do this again today. I refer members to a large bronze plaque that is on the wall just outside the two main entrance doors to this Legislature, strategically located for government members to view as they enter their lobby. The title of this plaque: “Robert Baldwin, 1804-1858.” I’ll just quote in part: Baldwin, as many will know—I made reference to this yesterday—“devoted his entire career to a single cause.” He was a member of this assembly as an executive councillor, a Solicitor General and as co-Premier. He “remained true to his vision until the second Baldwin-LaFontaine administration established the principle of responsible government....” I suggest that members opposite take a close look at that plaque.

Let’s take a look at some of the history. There are many examples of Robert Baldwin resigning—this was in the 1840s—rather than compromising his values or compromising his character and ultimately his honour: “Baldwin commanded respect and exercised moral leadership by reason of his character. In a society that revered the code of gentlemen, he embodied the cherished virtues of adherence to honour, duty, and principle. Each time he gained office he left it by resignation rather than compromise his principles. In 1841, Baldwin resigned when the governor refused to implement responsible government” at that time.

This was an honourable man resigning out of principle. This is part of our history. Perhaps honour in this day and age and in this government is merely considered a footnote to history, but I can’t help but wonder how Robert Baldwin would have reacted if he had been sitting in this Legislature this fall, how he would have reacted to a Premier condoning such serious and offensive breaches as we have seen in the past with the Minister of Transportation or the minister who’s responsible for eHealth and the scandals at OLG. Baldwin did not need an integrity act. Baldwin did not need a public sector expense review bill.

I look back to the day when men like Robert Baldwin blessed this House of Assembly, in this case the Upper Canada of the 1840s, and I see in him a beacon for all of us. A man of his stature, of his integrity, would never have been accused of egregiously reckless behaviour; if he had been, he would have resigned on the spot. We simply must be willing to do whatever is necessary to rebuild people’s faith in the Legislative Assembly. We need to rebuild faith in our institutions. We need to rebuild faith in the various agencies that have just been mentioned this afternoon. We need to rebuild faith in those elected representatives and cabinet ministers who are essentially here to serve the public.

How do we do this? We do this by taking responsibility, admitting mistakes and doing what is honourable. Do the honourable thing and accept consequences for those mistakes. This is not an issue of partisanship; it’s an issue of integrity, it’s an issue of honour, and it’s an issue of ethical behaviour.

As I mentioned, I have the utmost respect for the Office of the Integrity Commissioner. I feel we’re not accepting—in a sense, we all are abdicating responsibility by going down this road, by handing over the reins with respect to the expenses of agencies that represent something like 80,000 public sector workers, handing this over to a staff of nine.

Here we are. We’ve got a mess with OLG, a mess with eHealth. Not one elected member has stepped up, let alone stepped down, to take responsibility for what I consider a very sorry state of affairs.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Ms. Lisa MacLeod: It’s a pleasure to be able to speak to this legislation today, the Public Sector Expenses Review Act, Bill 201, as the government accountability critic for the Progressive Conservative Party.

Obviously this piece of legislation has been created to enable the Integrity Commissioner to review the expense claims of those who are employed by or appointed to public entities.

As the Vice-Chair of the government agencies committee—from time to time we review those who are intended for public appointment. We often see—for example, today Deborah Coyne was appointed to a review panel on health care despite the fact she has no expertise or knowledge of the health care field.

We’re starting to see that Liberal appointees to these agencies, boards and commissions are becoming the norm. That’s certainly what we saw with the examples in eHealth and the OLG.

My poor friend there, the minister for corrections, Mr. Bartolucci, is having a very difficult time. I can imagine it’s difficult, sitting in the government benches, after what we’ve seen in recent days rife with scandal. Of course, the summer of scandal has just ended.

Mr. Toby Barrett: There goes another reputation down the drain.

Ms. Lisa MacLeod: As my colleague Toby Barrett points out, the reputations of some hard-working individuals have gone down the toilet, and you wonder why. It’s because there hasn’t been ministerial accountability. This piece of legislation, Bill 201, is before us in this chamber because ministers, and in particular the Premier, aren’t interested in their own responsibility.

I had a discussion earlier today with a well-known colleague of mine in the Progressive Conservative caucus who mused that this bill might actually override the Premier’s decision-making. What a good point that was. I must say that that individual was a very astute individual because, again, should the buck not stop with the Premier, the government and the ministers who are in power?

Interjection: Name names.

Ms. Lisa MacLeod: I'll name names. Premier Dalton McGuinty was elected by the people of this province twice. He holds the public trust. Yet what we have found in his government, particularly this summer, are two scandals, one at eHealth, where we were finding out that one speech cost the taxpayers of this province \$25,000. That's \$7 a word.

We looked further, into the Ontario Lottery and Gaming commission, and we've seen not only that public tax dollars were paying for big, nice, expensive trips but also for gym memberships. That's unacceptable.

But instead of going to the minister responsible, the current Minister of Health, Mr. Caplan, and holding that person to account in presumably both cases, we see this bill here, which is going to create an entirely new bureaucracy to look at public expenditures.

Right now the Integrity Commissioner—for whom, I am sure, all of us in this chamber have great admiration and respect—is going to have to look at the expenses of some 80,000 public servants and public appointees in this province.

Instead of creating a culture where there is accountability, starting with the minister, we have now created a culture of fear with our bureaucrats and public appointees, because Mr. McGuinty would rather have heads roll at the tops of these agencies than in the people who sit in this front bench.

We've got a bill here that takes responsibility away from him and his ministers and places it with an officer of this Legislature, which begs another question: Does the officer in question, the Integrity Commissioner, have authority to review the expenses of other independent officers of the Legislature, whether that's the independent child advocate, the Fairness Commissioner or the Ombudsman? And what if they disagree? Who then has the ultimate responsibility to bear, accountability, in this province? Is it then the Speaker of this Legislature?

1710

Mr. Dave Levac: Yep.

Ms. Lisa MacLeod: My colleague from Brant says that yes, it is. He is now suggesting that the Speaker of the Legislature is actually the person, not the Premier of the province, who deals with bureaucrats, who deals with ministers who are not doing their job. We on this side of the House believe that the buck stops with the Premier of the province. Unfortunately, my colleagues opposite are more interested in saving their own hides than saving dollars, precious dollars that the taxpayers of this province have provided to them. Not only is that the greatest insult of all, that they're not accountable to the people they're taking money from, they're also going to raise their taxes by implementing the HST, or, as we like to call it on this side of the chamber, the Dalton sales tax, which is going to increase Ontarians' taxes to 13% at consumption.

Not only that—not only have they passed the buck and not only are they going to increase our taxes—the final insult, in my opinion, was when this chamber, specific-

ally myself and a member, Howard Hampton from the NDP, requested an independent probe into eHealth, the Liberals stonewalled. Not only did they stonewall, they offered us no explanation in the government agencies committee why the Minister of Health could not come before us to explain himself, his bureaucrats and his public appointees.

We can't support this bill. We can't support this bill because they don't support the work being done in this chamber and in committees to enhance public accountability. Enhancing public accountability in this chamber means that the Premier of Ontario and all of his ministers are going to be accountable to the public. This bill doesn't do that.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. David Zimmer: I want to speak to the closure motion here and some substance of Bill 201, but I do want to comment on what in my opinion is the disingenuousness of the opposition Conservative Party on this issue.

When this expense account issue broke, there was a lot of huffing and puffing from the Tory opposition benches about what should be done. There was outrage, there was anger and there was all of that sort of stuff. But in essence what we've done as a governing party is that we have moved very quickly to come up with a remedy to address this issue, to address those very issues that the opposition parties were huffing and puffing about. So what is their position when we as a government present a method, a solution, a remedy to this issue of the expense accounts claims? Well, lo and behold, Bill 201 comes before this chamber, and they want to delay the remedy. How can they delay the remedy? They can delay the remedy by endlessly and endlessly debating this issue.

The whole idea of time allocation was brought forward, and it's commented on in Marleau and Montpetit at page 564. Here's the premise of time allocation. It's a procedural mechanism which would formally structure the time of the House to facilitate the efficient conduct of debate. "Members recognized that the amount and complexity of House business was increasing and that measures were necessary to ensure that the business would be expedited within a reasonable amount of time." Now, what piece of business should we all be more interested in expediting than this Bill 201, which provides a solution, an answer, a remedy, to this question of expense accounts?

Bill 201 is not complemented. Here's what it does: The proposed Public Sector Expenses Review Act, 2009, would give the Integrity Commissioner the legal authority to review senior management expense claims made within Ontario's 22 largest agencies and take appropriate action should irregularities be discovered. Staff at government agencies will be required to abide by the same level of accountability and oversight that cabinet ministers and political staff must follow under the Cabinet Ministers' and Opposition Leaders' Expenses Review and Accountability Act. This is very important:

The act gives the Integrity Commissioner the discretion to make recommendations for other steps as appropriate. For example, this could include a suggestion that CEOs or others require pre-approval of expenses. The proposed legislation goes on: It would require the Integrity Commissioner to prepare and make public an annual report on the review of expense claims. Under the proposed legislation, the government has the power to require any other government agency, board or commission to abide by these rules.

What Bill 201 does in a very quick, efficient and direct way is bring financial accountability to the expense claims of a whole host of agencies that weren't previously covered. What is the complexity in that very simple and clear piece of legislation that requires days and days and days of debate? It's a clear remedy to address a specific problem. I think that the intent of the opposition on this issue is really to delay the remedy. Why would they want to delay the remedy, the simple and clear remedy in Bill 201? Because they want to play politics with this issue. What Bill 201 does is specifically address a mischief, if you will, with a very, very clear remedy. It's simple; it's clean; it's direct. Let's get on with it and vote on it.

The Acting Speaker (Mrs. Julia Munro): Further debate.

Mr. Gilles Bisson: Hopefully, members will pardon my voice today. I'm coming down with a bit of a cold.

I want to add to this debate a couple of things. First of all, just to remind people who are just watching this debate, this is a time allocation motion on the bill. So just to be clear here, we're dealing with basically truncating the time that we're going to have to debate this bill in the House. The government is doing that for the reasons that were enunciated by the member who just spoke. He was saying that he does this because it's urgent that we remedy and we fix the problems that we saw at eHealth and that we saw at OLG. I don't think anybody on this side of the House argues that we should not be trying to fix the problems at the OLG and at eHealth, but to argue that somehow or other this is so important that we have to time-allocate the bill I think is a bit beyond the pale. We have spent probably about three to four days on debate on this particular piece of legislation. If you take a look throughout the British Commonwealth, when you look at Parliaments, there are bills that have gotten far more time in debate than this one. For the government to argue that somehow or other the world is going to come to an end if they don't all of a sudden move time allocation on this debate I think is quite, quite a stretch of the imagination.

He makes a point that time allocation is the efficient disposition of business. Well, I've heard all kinds of government explanations as to what time allocation is about, but for the parliamentary assistant to say that it's the efficient disposition of business is a little bit like saying that dictatorship is better than democracy because democracy is kind of tough. You've got to go through elections, people have to stand for election, you've got to

put together some committees, you've got to go out and knock on doors for 30 days, you've got to raise money. Then you have to have an apparatus to count the ballots and then you have to be able to count the ballots and then you've got to be able to post the results. Why don't we just do away with that and be more efficient, and we'll just appoint legislators?

1720

Well, give me a break. Democracy is not maybe the most perfect system of government in the world, but it's certainly one of the better ones. To argue that somehow or another time allocation is about efficiency of disposition of business—well, if we brought that argument forward to everything else we do in this democracy, I think we'd be in a whole lot of trouble. Quite frankly, many nations in the world have seen that kind of trouble as a result of so-called leaders—I call them dictators—who say they have to be a little bit more efficient. I think of people like good old Joseph Stalin, who thought it was really efficient to kill millions and millions of people within what used to be the old Soviet Union. I think of people like Adolf Hitler and others who were trying to be efficient in the running of their nation. So don't come and give me this argument that time allocation is the efficient disposition of business in the House, because, yes, democracy is sometimes slow, democracy sometimes means to say you have to have a debate, and sometimes it means, yes, that debate can take some time. But there are sufficient rules within our Legislature to deal with allowing members an opportunity to express themselves on a bill that they have some serious reservation about. Clearly, the Conservative caucus has raised some issues that I think—I do not agree with all of them, but I agree that it is important for them to be able to put those issues forward. So let's not argue that time allocation is an efficient disposition of business.

Now, what is the bill about? Probably in about 20 minutes or so we're going to be in a position where we're going to end second reading because of the time allocation motion. There's going to be a vote about 20 minutes from now on the time allocation motion itself, and that will be the end of this debate except for one hour at third reading. Wow. Talk about efficiency. You know, Joseph Stalin would have been happy with these guys when it comes to being efficient. Anyway.

But next time this bill comes to the House, we are going to debate the issue of what the government is doing to deal with the excesses of what people have done at OLG and the excesses of what people have done at eHealth. What has happened is that you have certain people who have run amok, and they have decided that you can issue an untendered contract for hundreds of thousands of dollars and that somehow or other that's okay. I just say, listen, where I come from—I don't care if you work in the private sector, the public sector or whatever sector you want to call it, you have an accountability either to your shareholders, the people who own the company, your customers or the constituents at the end. For those people to have done what they've done

and to somehow or other think it's a good thing leaves a lot to be desired.

It was interesting to watch because the finance minister and the Premier had press conferences this summer, and they said, "Oh, my God, this is awful. This is terrible. Imagine that. What has happened? We're going to get to the bottom of this." Who the heck appointed these people? Was it the Conservative caucus? Was it the New Democratic caucus that appointed these people to eHealth and OLG? It was the Liberal caucus. It was the Minister of Health, Mr. Caplan, under the Ministry of Health, who appointed the people who went to eHealth. Guess what? It was the same minister who appointed the people to OLG.

To come in here and say, "We're going to fix it by punishing those people, those people who took the excesses," and that that somehow washes our hands of this situation and then everything is all right—give me a break. I have listened to people in this Legislature talk about a thing called ministerial responsibility, and I have great respect for the minister as an individual. I have sat in this chamber for a number of years. He has been here about four terms, I believe, or three terms; I've been here for five. So we've sat at least 12 or 16 years together in this House, whatever amount of time he has been here. Any time that I have dealt with him, I rather liked the guy. He's a good individual, he is a person who cares about what he does, and I don't take away from his personality whatsoever. But good Lord, once you've messed up, you've got a responsibility to say, "Oops, I messed up," to do the right thing and to say, "Listen, I'm going to stand aside because I can point a finger at the officials at eHealth and I can point my finger at the officials at OLG, but at the end of the day, where does the buck stop?" It stops with the minister and then with the Premier. It's like what old Mr. Truman said. Remember the guy who was the President of the United States? He put that sign on his desk and it said, "The buck stops here."

So, yes, those people at eHealth and OLG have got to be dealt with, and rightfully so. They did wrong. There are processes of discipline to deal with that. Yes, we need to do something in this Legislature in order to set up a structure that allows us to make sure that those types of excesses don't happen in the future. I have no argument with that, but for the Minister of Health somehow to remain unscathed out of this I find a little bit disturbing, because there is something called ministerial responsibility. If we forget that in this Legislature, I think it demeans the entire Legislature.

It's not just about the Minister of Health; it's about every member in this assembly. We have a responsibility as elected officials to set the example to our constituents. I've had it happen in opposition, as I've had it happen in government, where I've erred, and I've gone public and said, "I have erred and I apologize," because I thought that was the responsible thing to do. Do you know what? We're all human beings and we make mistakes.

I'll give the Minister of Health some benefit of the doubt. Did he want this to happen? Probably not. I would

hope not; I've got to say he didn't. But at the end of the day, it happened under his watch. I say that for the Premier to deal with this by making the officials at OLG and the officials at eHealth the scapegoats, to somehow deflect the political attention and the political flak that they're getting at their government off to them, as the only ones who are going to pay for what happened and to bring this bill in as a way of saying, "We fixed it. We can wash our hands," quite frankly is a disservice to all of us.

I have been a member of a government where cabinet ministers had to resign. I'll tell you it's not a fun thing when you're sitting in the government, and all of a sudden one of your colleagues has to resign. I can think of a number of them who had to resign as a result of things they said in the House that they shouldn't have said, mentioning names of people and documents that were private information. I remember Evelyn Gigantes having to resign because she said the name of somebody that was in a briefing note in a question in the House. If she can resign as a result of a person's name, certainly to God a minister who oversees two scandals, one at the OLG and the other at eHealth, should have some ability—I wouldn't say ability, but decency—to do the right thing.

I remember Mr. Runciman when he was in the government. There was an issue—we're not going to go through all of the details—a kind of similar thing that he got caught in. He could have tried to hide behind, "Oh, it wasn't me. It was my bureaucrat friends over there who did it." He did the right thing. He resigned. That's what you do in this place.

Interjection.

Mr. Gilles Bisson: That's my point. That's why they call them "the honourable member," because the public expects us to hold a certain standard. If people don't feel good about politicians, and "politician" has become a bad word, these are the instances that fuel that. Again I say, to allow that to happen is a disservice to all of us because, do you know what? We are all diminished by it.

We are going through some of the most difficult economic times that this country and this province have seen in a long, long time. This recession is worse than what I saw in 1990, when I arrived here, and there were tens of thousands of jobs being lost. My friend Mr. Murdoch was there; he remembers well. It's worse than the Depression that our parents had gone through in the 1920s, in many ways.

If people are going to have confidence in the elected officials of Canada, Ontario and their municipalities to be able to steer us through these very difficult times, to make the tough decisions—yes, the tough decisions—that have to be made in order to deal with the effects of a recession, to reach and to do the bold things that need to be done in order to make our province a better place and to build the basis that's going to be so important for us to be at as we move out of this recession—people gotta have confidence in us. We're going to be asking them to do things that, quite frankly, they won't want to do, but if they don't have confidence in us as elected officials,

because certain members won't take the responsibility and do what is right by the issue of ministerial responsibility, how are they expected to have confidence in us when we're asking them to do the things that we're all going to have to do as we work our way through these very difficult times?

1730

So I say to the government across the way, part of what's in this legislation I take no exception to. I think you have a problem when it comes to how you're going to make this work, but that's a whole other debate. But in the end, I think you have to agree with me that if it was you who was the minister responsible for two scandals, which are central to the issue we're debating here today, you would probably do the right thing and resign. I further say—and I don't like to say this, because, again, I have respect for the Premier. He may not be of my party, but he is the Premier of my province and he holds the office for which I have respect. But it doesn't do the Office of the Premier any good to sit there and say, "Oh, well, Mr. Caplan has nothing to do with it. I'm going to go out and chop off the heads of the bureaucrats and the people we appointed as a way of fixing this. By the way, we have a bill here we can bring to the House to fix everything in the future." It goes to the Premier as well and his office, and doing what is right for the people of this province—and to have confidence not just in the Premier of Ontario and the name of Dalton McGuinty, but in the institution of the Office of the Premier and the institution of this Parliament.

So I say again, I think the minister responsible for both the OLG scandal and the scandal we saw at eHealth should really be thinking about not only what he's doing that harms all of us as legislators, but what he is doing to his own government and his own Premier. I don't think it does any good.

Now to the bill: The government says, "Oh, well, we're going to get the Integrity Commissioner to review all of these expenses." Well, I want to say something right up front. As I looked at the *Toronto Star*, the *Globe and Mail*, the *Toronto Sun* and the *Timmins Daily Press* and they listed the expenses of many of the things that were supposed to be excesses, I had to kind of scratch my head, because somehow we were saying it was a scandal for somebody to go buy a coffee at Tim Hortons. My God. How many people, both private sector and public workers, are on the road as a result of their job, and they walk into Tim Hortons and say, "I'll have a double-double, along with a ham sandwich," and it happens to be lunchtime? God, we're getting off cheap. Why is the public getting excited about an appointee or a civil servant who buys a Tim Hortons coffee and a ham sandwich? I think this debate has gotten a little bit crazy. There were some instances where people had what appeared to be fairly excessive expenditures, but when you looked at them in detail, they were probably fairly well within the line of what you would see anybody else do in the private sector for the same thing. The real issue was the untendered contracts. Yes, there might have

been—and I don't know because I haven't seen all of those expenses that were submitted—those who had excesses, but to ask the Integrity Commissioner to be responsible for looking at every expense of those agencies and the people appointed to them and the people working for them? My God, we're going to have to buy another office for them. Do you know how much work that is?

Look in this Legislature; just look at ourselves. We are how many, 108, 111, whatever we are, here in the Legislature? All of us travel home on the weekends, and we submit airline—I just did my expenses: \$17,000 worth of airline tickets for the last number of months. I'm pretty slow at submitting, by the way; I should have done that back in June, but that's a whole other story. But the point is, there are 103 or 108 of us, whatever the number is, and we travel on a weekly basis—airline tickets, taxis from the airport, but no booze because we can't charge booze. We can't even charge a meal in this job. People don't realize that. But we do charge our travel expenses—mileage in our riding and all that stuff. How many people have we got working at the finance branch to process expenses for the number of members we have, the office expenses we have to run our constituency offices and the political staff who work here at Queen's Park? It's huge. They've got a whole building across the street to deal with finances for this assembly, and we're just 103 members. Can you imagine the day that the Integrity Commissioner has to say, "Hold it here. Let's see, now. Mr. X, at such and such a commission, had a Tim Hortons doughnut and a ham sandwich. Oh, what the hell is this: undisclosed amount, 37 cents?" And he's got to send a memo back to the finance branch saying, "We need that 37 cents back because they didn't disclose if that was salt or pepper that they asked for as an extra for their sandwich." Do you know how much staff it's going to take to do that?

Mr. Bill Murdoch: It was the moutarde.

Mr. Gilles Bisson: It was the Dijon moutarde for 37 cents. I must say, as a Frenchman, it had to be Dijon, but that's a whole other story.

But the number of people we're going to have to hire to work for our friend Madam Morrison, the Integrity Commissioner, is going to be a fairly serious amount of change. I sit on the Board of Internal Economy with some members of this House, and for those who don't know what that is, the Board of Internal Economy is the board that appropriates and oversees the dollars for this assembly to work. My friend Norm sat there along with Mr. Runciman, and we know what's going to happen. They're going to have to come back and submit us a budget. There are going to be revised estimates this year for the Integrity Commissioner, and the Integrity Commissioner is going to have to figure out, "How many staff do I need to figure out if Dijon mustard is an allowable expense for somebody who travels to Tim Hortons one day?" Can you imagine? How do you even decide how many people you need? She'll know that it's a large undertaking, but how large is it? "I'll estimate that I need to have X number of staff."

I'll tell you what's going to happen. The Integrity Commissioner is going to find out, "Oh, my God, this is a much bigger job than I thought." Why do I know that? Do you remember what happened with the privacy commissioner? I look at my good friend Mr. Runciman, who was on the Board of Internal Economy at the time with me, and I can't speak about the details, but we ended up in a similar situation because the government introduced legislation that gave the privacy commissioner more responsibility. We appropriated dollars from the Board of Internal Economy to allow her to do her job, and it was insufficient for her to meet her legislative mandate. We're going to be right back at the same place.

So I'm saying, okay, I agree, we need to have some kind of a process that vets the expenses in a way that basically we don't allow these things to happen. But what's wrong with the process we have now? When you submit your expenses as members, it goes over to finance branch. Finance branch looks at it, they have policies that they follow, and they say, "Oh, oh, hang on, Mr. Bisson. You were in Thunder Bay on such-and-such a day. You're allowed a hotel room, you're allowed a meal, but you put a glass of wine on there, so we're not going to allow you to recoup your wine." They do it automatically. The finance branch has really good people who work there, who know how to read a submitted expense report and basically are able to decide if something is to be paid or not.

But let's say they made a mistake. All of our expenses at the end of the day, where do they go? The auditors come in and check the books. The auditor goes in and looks at all the members' expenses in this place, along with their staff, and says, "All right, let's take a look over here. Mr. Bisson—oh, my God, he's spending more money than anybody else." That's the first thing they say when they look at mine and Mr. Bartolucci's and Mr. Hampton's and Madame Gélinas's. Why? Because we're northern members, and we travel more than others. Then they look at it and go, "Oh, it's because airline tickets went from \$900 to \$1,800 return from Timmins in the last six months—

Interjection.

Mr. Gilles Bisson: Yes, 1,800 bucks, believe it or not. I know they're going to be looking at that when they do the review, but they have auditors to look for that. So I say, why not use the institutions that are used in every other public sector operator.

And what do they do in business? My friend who talked about, oh, he comes from the private sector and they do it best—they would never hire an Integrity Commissioner to do this because it would drive them broke. They say, "Listen, we are going to hire people who manage our payroll, who manage our finances, who make sure that in the end the finances are well looked at and make sure that things are allowable and we pay them as they are, and at the end it goes out to the auditor."

Now, if it's a question that we don't think there are enough people to do it from the auditor's department, then let's talk about that, but then let's do what my good

friend the leader of the New Democratic Party, Andrea Horwath, suggested, what I thought was a very simple suggestion, to do in Ontario what we have in Ottawa, so that we have an agent such as the—what is it called, the budget officer or the parliamentary—somebody help me out.

Ms. Lisa MacLeod: Parliamentary Budget Officer.

Mr. Gilles Bisson: The Parliamentary Budget Officer.

Ms. Lisa MacLeod: Don't do it.

Mr. Gilles Bisson: She says, "Don't do it," as somebody who was in Ottawa before. But it's one way to be able to have the oversight that's necessary to do it.

I say to the government, what I see happening here essentially is two things. The minister is not taking his responsibility to do what is right by way of ministerial responsibility and to do the honourable thing and to step aside. And number two, this legislation, quite frankly, is a deflection in order to give the government some political cover that they so much need, because all of the public knows when you see somebody charging \$37 a word to write a speech, they think to themselves, "Where can I get one of those jobs? Something's wrong in Queen's Park, and it's got to be fixed." So I say to the government, there are other ways of doing it, and I think this is a bit overboard.

1740

The Acting Speaker (Mrs. Julia Munro): Further debate.

Mr. Dave Levac: I appreciate the opportunity to speak to the time allocation motion before us, considering Bill 201. In the last discussion that I heard, the member of the opposition finally gave the official opposition's position, which is that they will not be supporting the bill. That was nice to finally hear, whether they were in favour or not in favour of the legislation.

Mr. Peter Shurman: Was that a surprise, Dave?

Mr. Dave Levac: One of my colleagues opposite asks in a barking kind of way, "Was that a surprise?" Of course not, because we're in this chamber playing politics.

Quite frankly, the interesting debate that I've been listening to on an ongoing basis has been, from one member right after the other on the other side, a continuation of what I like to refer to as the rooster theory; that is, it's like the rooster taking credit for the sun rising: What they do is crow about how perfect they were in government and how they made it all right and how the other side is wrong. It's rather an interesting exercise, when the comparisons with the previous government have been forgotten in this place. What's rather interesting is that in eight years of comparison of time allocations, which is what we're talking about, they stand up and one of the points that each of them wanted to make was about this terrible, draconian government—I say chuckling, to make sure that the tone shows up in Hansard—that this government is such a meanie for democracy; they're stopping democracy from happening in the province of Ontario.

Well, let's take a look at past performance in the eight years that we had to tolerate that government's record on

time allocation. We're talking about the actual time allocation component. We did a comparison. I did a little chart; I had a little chart that was available to me. Not to let the NDP off the hook either, because we actually ended up on the bottom in terms of use of time allocation, in our time as government. In one session, the Tories used it 89% of the time—89% of the time they used time allocation. On top of that, they never sent a bill for third reading hearing—never. As a matter of fact, they also had a 54% rate that they never sent bills to committee. So, quite frankly, during that time frame we have the opposition—which is their job; they're supposed to do what they're doing today. They were supposed to point out how bad we are. But they have forgotten their performance and their history. But that's not their job. They're not going to stand up and say, "By the way, mea culpa. We were worse than the Liberals were. We were terrible at time allocation. We never did any of that stuff." As a matter of fact, they want to rewrite history, because a lot of the members who stand up who weren't there during that regime made comments as if they didn't know that they had a record of time allocating every bill that they dealt with, did not take bills to committee and did not have one of those bills at all do a third reading hearing—nothing. So there's a pot waiting to be called black many, many times over from the guys on that side.

I can tell you something else: What I find really interesting on this particular bill—and I'm glad to hear that they said, for the first time in this entire debate, that they were voting against the bill, and that was the last speaker. The very last speaker said, "By the way, in case you were wondering, we will not be supporting the bill," and it was really about the last three sentences of the presentation. Quite frankly, Bill 201 is doing exactly what these members opposite are crowing for, which is—what is it that we want to have done? Let's make sure that the exposed problem that exists in this Legislature—what, today? Yesterday? Only three times? Seven times? Historically, it has been ongoing in this place for a long time, and where was the legislation from the previous party? It didn't exist. So what happened?

So now what they're doing is crowing about the president of a corporation who would quit his job if he found out that somebody in his department was misusing their credit card. That's what they're asking. Would the president of the corporation quit the job, leave his job altogether, give up his company, if somebody in the mid-management range misused their credit card? That's what I think they're asking.

But on one of the points that has been made today, I stood up a couple of times and said, yes, there needs to be a cultural change, and, yes, there have been some comments from both the Tories and the NDP that talk about a cultural shift and starting to move towards what everyone has said: We've got to get out of that culture. I agree. That's what Bill 201 is trying to do, as a matter of fact, isn't it? It's trying to sit back and say let's put a little bit of a flashlight underneath that bushel, and if we

take that flashlight, turn it on and lift up that bushel, we will see some problems, so let's address them.

What have they done? Well, the bushel basket sat on top of that problem and it was never even lifted up to put sunshine under it. Now that we've got that, we're including more things that are being evaluated than ever before. In the previous pieces of legislation that this government has introduced—did they allow the Auditor General to take a look at some of the areas which we should have been looking at? No, no.

Interjection: Ontario Hydro.

Mr. Dave Levac: Ontario Hydro, Hydro One—no, no, no. They had an opportunity to bring some sunlight underneath that bushel basket, and did they turn the light on? Not only did they not turn the light on; they lost the batteries and they left the bushel down and they sat on it.

Interjection.

Mr. Dave Levac: You know what? I'm not going to get into individual names, for the very purpose that I don't disagree that we need to make a cultural change, and that's precisely what I believe the bill is trying to do. The bill is trying to make a cultural change here, and it's going to tell everybody very clearly that, you know what? The bushel basket has not only been lifted up and had a flashlight put on it; we're throwing the bushel basket away and we don't even need to use the batteries. We're going to save energy on the flashlight, because we're all going to be susceptible to making sure that that culture gets changed.

Madam Speaker, the reality of this particular debate is time allocation. Let's get on with it, let's move this forward, let's find out whether or not either opposition party is in favour of lifting up that basket and turning on that light and making sure that we shine it where that money is being spent, or whether we're going to simply try to say, "The status quo is quite all right, thank you very much." Well, I'm in favour of having this bill passed. I'm in favour of taking the bushel basket up and shining a light under it. Where either government had the opportunity to do it before, they didn't do it. They didn't do it. But they're very good at standing up and saying, "Bad government, good opposition." Bad government, previous government? "Uh, I forget. I can't remember. Don't talk to me about what we didn't do before, because today you're responsible." They are the ones who had the opportunity to change the culture, and did they change that culture? That's the question I want to ask.

The other thing I want to know: When did they make the contract available for their wonderful deal of the—are you ready, Speaker? I wasn't quite sure. Are you ready to—

The Acting Speaker (Mrs. Julia Munro): Please finish.

Mr. Dave Levac: A contract that big for the 407: Did they let anybody know what was going on there? They took that big contract and shipped it over to Europe and said, "You go ahead and take that money out of our pockets and you keep charging us."

So I want to know whether or not they're willing to stand up and say, "You know what? The option that we

have is that we're going to take a look at this Bill 201 and we're honestly going to digest as to whether or not it's going to change the culture." In my humble opinion, this is going to change the culture. Not only will we not have to worry too much more about this, but the cultural slap on the wrist that was spoken to by a few of my NDP friends is going to take place, because when you do it right, the people are going to sit back and say, "I'm not going to charge those things anymore because the government is saying to us that we need to smarten up," and the cultural changes that are going to be asked of them are finally going to take place.

Quite frankly, I'm proud of the fact that this government has not used time allocation anywhere close to that world record that was set by the previous government, and of the number of sittings that we're doing during the years, and of the number of committee hearings that were had during the years, and of the amount of input from the public out there, and also the number of third reading debates that we've had.

So I look forward for us to be able to go out there and say, "You know what? We're changing the culture with 201." We respect the fact that we need to change that culture, and it's going to happen with this bill.

I thank you, Speaker, for this opportunity.

The Acting Speaker (Mrs. Julia Munro): Further debate? Seeing none, I'll put the question.

Ms. Smith has moved government notice of motion number 138. Is it the pleasure of the House that the motion carry?

All those in favour?

Opposed?

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

I have received a deferral slip.

"To the Speaker of the Legislative Assembly:

"Pursuant to standing order 28(h), I request that the vote on government motion 138 be deferred."

Vote deferred.

The Acting Speaker (Mrs. Julia Munro): Orders of the day.

Hon. Monique M. Smith: I move adjournment of the House.

The Acting Speaker (Mrs. Julia Munro): Ms. Smith has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour?

All those opposed?

The ayes have it.

This House stands adjourned until 9 o'clock tomorrow morning.

The House adjourned at 1752.

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Rinaldi, Lou (LIB)	Northumberland–Quinte West	
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Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
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Witmer, Elizabeth (PC)	Kitchener–Waterloo	
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of Ontario**

First Session, 39th Parliament

**Assemblée législative
de l'Ontario**

Première session, 39^e législature



**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 30 September 2009

Mercredi 30 septembre 2009

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

Clerk
Deborah Deller

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Deborah Deller

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 30 September 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 30 septembre 2009

The House met at 0900.

The Speaker (Hon. Steve Peters): Good morning. Please remain standing for the Lord's Prayer, followed by the non-denominational prayer.

Prayers.

ORDERS OF THE DAY

STUDENT ACHIEVEMENT AND SCHOOL BOARD GOVERNANCE ACT, 2009

LOI DE 2009 SUR LE RENDEMENT DES ÉLÈVES ET LA GOUVERNANCE DES CONSEILS SCOLAIRES

Resuming the debate adjourned on September 16, 2009, on the motion for second reading of Bill 177, An Act to amend the Education Act with respect to student achievement, school board governance and certain other matters / Projet de loi 177, Loi modifiant la Loi sur l'éducation en ce qui concerne le rendement des élèves, la gouvernance des conseils scolaires et d'autres questions.

The Speaker (Hon. Steve Peters): Further debate? The honourable member for Welland.

Mr. Peter Kormos: Thank you, Mr. Speaker. As I recall, I had the floor when this was last being addressed. We've got Mr. Prue and Ms. DiNovo here to speak to it as well this morning, along with, I'm sure, some Conservatives.

Hon. John Gerretsen: I can't hear you, Peter.

Mr. Peter Kormos: Then listen; stop chatting with your neighbour if you can't hear me. Don't sit there reading your newspaper and writing love notes. And if push comes to shove, put your earpiece in.

You'll recall that I queried whether this was the Christine Nunziata bill: crazy Christine, buying lingerie on the taxpayers' tab as a school trustee—and sexy, mind you. God bless her, it was sexy lingerie.

Mr. Michael Prue: Well, yes, she was on her honeymoon, you know.

Mr. Peter Kormos: Mr. Prue notes.

Buying sexy lingerie on the taxpayers' tab with her apparently school-board-issued credit card. However, it was Josh Matlow who had the audacity to criticize what he considered an ill-advised judgment by his board.

I've spoken to board trustees over the course of many, many years who have called me, even as a lawyer many years ago; good trustees, newly elected trustees, full of vim and vinegar, wanting to make a difference, who called me to say, "I was told by the director/superintendent/chair that I couldn't do (a), (b) or (c). They brought in the board solicitor, who read the riot act to me."

Hon. John Gerretsen: To you?

Mr. Peter Kormos: No, to that particular trustee. These trustees, mostly young novices to politics, said, "What can I do?" I said, "You can do anything you want, as long as it isn't illegal. Use your judgment. Use your conscience. If you think you have to do something in particular to advance the interests of a student or a school in your ward, in your bailiwick, or to address the concerns of a family about a particular problem in a particular school, you do what you think you should." "Well, what can they do to me?" "They can't do anything to you. It's the voters who will decide in three years' time," as it was then, "whether or not you did the right thing. You can't do anything illegal."

Obviously, after this legislation is passed you can't say that anymore, can you? The best-meaning trustee who offends his or her colleagues on the board can find themselves censured, gagged, forfeiting pay and excluded from meetings. I've got to go across the way and knock somebody out before I can be excluded from a meeting. You've got to effectively commit a criminal offence in this chamber before you can be excluded from the chamber. There are the powers of the Speaker to exclude somebody who doesn't comply with the orders, usually when it comes down to withdrawing a statement and being obstreperous in that regard, but that's for one day.

This is very frightening stuff. I've come across board trustee after board trustee who explains to me—I'm not talking about any particular board, and they tend to be smaller town boards. Understand that all the world isn't Toronto, where board politics have a reasonably high profile and there's media coverage of them. Down in small-town Ontario, they tend to be little cliques, as often as not—some backroom boying. If you tend to be the voice of dissent, they use every effort to shut you down. This government legislation will formalize that and legitimize it.

It will not only allow boards, rightly so, to be compelled to set up codes of conduct, but it provides powers for boards that are undemocratic and unacceptable in elected institutions, elected bodies. There's no recourse, as I read Bill 177, to appeal a code of conduct that is

overly restrictive. Again, these same small-town boards, I'm sorry to tell you, tend to be run by the director or the superintendent, who develops a close rapport, if you will, whether it's expensed or not, that's nurtured by more than a little bit of wining and dining from time to time with the chairman of the board. They like that control, and they exercise it. I've seen boards that restrict and even exclude public access: boards that will engage in the most acute pettifoggery to prevent a parent or group of parents from making a presentation to the board if it's around an issue that might embarrass the board, or if it's around an issue of a particular school about which there are particular concerns.

This government can't have it both ways. It either believes in local and community-based democracy and control or it doesn't. This is a very subtle way of effectively eliminating boards of education without going through the political strife of saying you are going to abolish boards of trustees. I've been a long-time advocate of elected hospital governors. LHINs? Oh, to heck with LHINs. Abolish them. They're useless; they're dangerous; they're government tools. How can a LHIN, that's government appointed, government hacks—Mr. Levac, maybe you want to tell us about your experience with that Niagara Hamilton LHIN.

0910

Mr. Dave Levac: Wonderful people.

Mr. Peter Kormos: They're a bunch of unelected, unaccountable people. The Niagara Hamilton LHIN covers Niagara, Haldimand, Hamilton and Brantford—am I correct, Mr. Levac? Lord thundering Jesus, how can that board purport to understand the unique needs—

Mr. Dave Levac: I have two members from my riding, Peter.

Mr. Peter Kormos: Well, Mr. Levac says he has two members from his riding. Whoop-de-do. A lot of good it does you.

Mr. Dave Levac: It does a lot of good.

Mr. Peter Kormos: Mr. Levac is suggesting that there's some political patronage going on here. And that there's payoff. Who was that Conservative candidate who just got bumped because he had the nerve to suggest that if you didn't elect a Tory you weren't going to get any grease? Now I understand. Liberal-appointed boards prefer Liberal communities. I'm talking LHINs.

Mr. John Yakabuski: That's Mr. Levac's accusation; I didn't say it.

Mr. Peter Kormos: Well, that underscores my point, doesn't it? That underscores my point. We don't need unelected bodies—and when we have elected bodies, we've got to give them the authority to do what they were designed to do. We've got to give individual members of those bodies the power to perform their individual roles.

Bill 177 turns boards of education, turns school board trustees into rubber-stampers. If you dare to speak out against the party line, you can be shut down with a code of conduct. And there's no terms of reference for what that code of conduct should consist of. There's no guidelines, there's no controls, there's no limits. In fact, the

legislation does say that a board member shall support the decision of a board once it's made. That's like telling John Yakabuski that once the government passes a particular bill, he has to support it.

Interjection.

Mr. Peter Kormos: Nonsense. That's not what democratically elected bodies are designed to do. That's what the politburo does.

Mr. John Yakabuski: That's on the second floor, right in the corner.

Mr. Peter Kormos: Mr. Yakabuski notes—and he's quite right. So we've got Soviet-style central democracy, democratic centralism—

Ms. Cheri DiNovo: Stalinism.

Mr. Peter Kormos:—Stalinism, as Ms. DiNovo notes, being imposed on boards of trustees, school boards, that have already been hammered. Look, the first attack on them was capping their salaries. Let's understand where things like Christine Nunziata's credit cards come from. My, dare I say, inference, is that when you have a board that isn't allowed to pay fair salaries, they compensate in other ways. They give their members credit cards. Is that reasonable? And wink-wink, nudge-nudge, they suggest to those members, "You might want to offset the discomfort of your substandard salary by, ahem, indulging from time to time."

New Democrats aren't happy with this legislation. We are not enthusiastic about it. We aren't committed to it in any way, shape or form. We think it does great damage to boards. We think it's the beginning of the end for elected boards of education—elected trustees. It's certainly far from the beginning of the end—a very major part of the process of the end—of local decision-making when it comes to designing education. Folks here in Toronto who think Ontario begins and ends at the intersection of Yonge and Bloor don't understand that communities in northern Ontario are far different from downtown Toronto and that communities in rural Niagara and rural southern Ontario are far different and that the isolated communities of the far, far north are far different from downtown Toronto. They're confirming that with this legislation.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Michael Prue: I must preface my remarks by stating that I wish I had been here for the first eight minutes, because if the last 12 minutes of his speech were anything to go by, it was extremely entertaining.

Just a couple of points that my friend from Welland had talked about: He talked about the poor school trustee coming in to a meeting and being told that he or she could not act upon a certain thing, and then the lawyer comes in and reads the Riot Act. I remember that the Riot Act can only be read by a mayor or a reeve, because one of the things that the lawyer came and told me, upon my appointment as mayor in the borough of East York—he brought out a copy of the Riot Act and explained to me how a mayor can go to the front step and read the Riot Act, and everyone had to disperse.

Hon. John Gerretsen: How often did you do it, Mike?

Mr. Michael Prue: So the reading of the Riot Act became central to my job as mayor. Fortunately, I never had an opportunity to read it, and I wonder whether my colleague Mr. Gerretsen, as mayor of Kingston, ever had to read the Riot Act, particularly after a Queen's party some evening.

In any event, my colleague from Welland also talked about the voices of dissent and the fact that trustees will now be shut down, those who have the unmitigated gall, the temerity, to challenge the Minister of Education, to challenge the government, to challenge any kind of decision that may see schools shut down or be inadequately funded, to stand up and talk about that, and whether or not that dissent is going to continue.

I agree with my colleague from Welland when he said that this is the beginning of the end of school boards. When I get an opportunity to speak later today, I'm going to talk about the slow decline of the trustee, or the position of trustee, what they are allowed to do, what they are allowed to say, what they are allowed to influence, because I see this as one of the final nails in the coffin of that position.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. John O'Toole: I think everyone listened to the member from Welland and his humorous portrayal of some odd circumstance, whether it's addressing Bill 177 or other comments. But I have to say that if you look at the overall thrust of this thing, it's in response to some Toronto school boards' misuse of resources and their continual crying to the current minister about not having enough money, and yet even in the media today there are reports that say that things should be brought under better control.

I recall, in my time as a school trustee—I have to say it was some time ago. It was, I think, 1980 or 1982, somewhere in that time frame. When I was first elected as a school trustee, I felt very honoured because I had three children in the school system at that time. I was there as a parent-teacher association member and then as a school trustee. I felt it was an honour, but I didn't realize you even got paid for it. When I was first elected, I was surprised, because it was a bit of an honoured position, that they gave me a cheque for I think it was \$250 at that time, per month. I think when I left, it was about \$400 a month.

I think the issue here—the trustee's role has certainly come under the threatening glare of Minister Wynne trying to silence the trustees in this difficult time where she's insufficiently addressing the needs of the students in many cases. I am interested in the debate this morning. I know that the member from Renfrew-Nipissing-Pembroke will be speaking, and at that time we'll certainly hear some of the real truth about what's happening on the street in education.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Ms. Cheri DiNovo: Let's be very clear about what this bill is. This bill is an attempt by this government to

muzzle and make irrelevant school trustees. That's the intent of this bill. It's interesting that, presumably, from the government's spin, it's about transparency and accountability. What's interesting is, we're talking about trustees who make about \$25,000 a year, when this is the government, let me remind you, that oversaw the eHealth scandal to \$1 billion, not to mention the salary of Ms. Wynne herself. I assume it's around \$160,000, something like that, with expenses. We don't go over her expenses with a fine-toothed comb except, of course, for the Integrity Commissioner. I assume she's not spending money over and above her salary on lingerie or trips to the Bahamas. But really, would she have to with that kind of income?

0920

We're talking about people, one of which, interestingly enough, Ms. Wynne used to be. She used to be one of the radical trustees who call the government into question. Now that she's in a position of power, wow: Power corrupts, blah, blah, blah. Now she's going to turn around and censure exactly those trustees who want to do what she used to do.

This is a Harris-esque bill. There's no question about it, and trustees know this. Trustees are elected bodies. They are there to represent the people who elect them, that is, the parents. They are not there to kowtow to a government. They're not there to answer to the government; they're there to answer to the electorate. This bill changes that fundamentally. This is, in its nature, an anti-democratic bill. We'll say more.

The Deputy Speaker (Mr. Bruce Crozier): I might remind the members that questions and comments are intended not to debate the bill but to refer to the debate that the previous speaker had given to the House. Just keep that in mind.

The member for Welland has two minutes to respond.

Mr. Peter Kormos: I appreciate your direction with respect to what questions and comments should consist of, which is why I make every effort to be as free-wheeling and broad-based as I can when I make comments during a 20-minute period, so people have that much more leeway in their questions and comments.

I appreciate the people who had the patience to listen to the 15 or so minutes that I had here today. This is serious business. Out there with the public it may not have a lot of traction, as they say in the back rooms of political spinsters, spin doctors. But it's so horribly important. As it is now, school board trustees tend to be anonymous. Go to any number of communities and ask them who their own trustees are, if it's a ward system, and most people can't tell you. Most people, if they have a problem with the school, simply grin and bear it or simply suffer it. They don't know that you should call a trustee.

The problem is, once this bill passes, even if you do know who your trustee is, and even if you do know where you can contact him or her, and even if you do call him or her, the purpose of this bill is to eunuch that person, to neuter them, to render them impotent, to make it

impossible for them to do anything for you. All they're going to be able to do is cite the board's code of conduct, for instance, that says, "No board member shall"—effectively no board member shall not support a policy of the board. The poor board trustee who campaigned saying, "I want to represent you," is going to have to say, "Well, that's the policy of the board, and I can't speak against it." That's not very pretty, is it?

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. John Yakabuski: I had to get ahead of the member for East York because I was courteously watching the government side of the House to see who was going to speak to this bill. I understand, if they're supporting the bill—it's a bill from their minister—that they would be anxious and eager to stand in support of not only that minister but of their government. But I do see some cracks in the armour, some weaknesses there. Probably the genesis of this bill is part of that.

I appreciate the comments of my friend from Welland. He's always insightful, and I can say that in two different ways: He's insightful and inciteful in the way that he goes about debate in this chamber. It's wonderful to be able to participate alongside him many times. He talked about the fact that this is painting the entire body of provincial school trustees with the same brush for the wrong reasons, and I'll get back to that a little later.

Let's talk about what I see as the reason that this government is bringing in the bill for second reading at this time: It's because they're under the gun. They are purporting this bill to be about accountability at the very time when the accountability of this government is being brought into question by people across the province of Ontario. Each day we find more reasons and more evidence of why people are asking those questions about the accountability of this government.

When you look at this bill, and it's being touted and sold as one that brings accountability to school boards across the province of Ontario, you do have to ask yourself, what is the true motivation of the government? Because this government has been masterful—masterful, I say—in their six years here at managing to change the channels at the appropriate time.

We have important issues going on in this province at this time, some of the most difficult economic circumstances that we've been in for some time. Yet today I see the Attorney General on the television, changing the channel once again because he doesn't want to talk about the Marshall situation. He's on the television this morning talking about suing Big Tobacco for \$50 billion in the province of Ontario for health care costs. We allow illegal tobacco to now account for almost 50% of the tobacco sold in this province, but they're going to have this lawsuit against Big Tobacco. When you ask him a question on the Marshall incident, "Well, I cannot speak to some of that." Or if you ask the finance minister with regard to issues surrounding the Windsor Energy Centre, "I cannot speak to that."

And I cannot speak to that either, by the looks of the Speaker.

The Deputy Speaker (Mr. Bruce Crozier): That's correct. Let's stick to Bill 177.

Mr. John Yakabuski: Oh, yes, back to Bill 177. That's what I like about you, Speaker, and I say that in the most cordial sense, the way that—from time to time I'm a bit of a wanderer, because I come from a rural riding. As you know, it's a big riding; it covers a whole lot of area. And sometimes when I'm actually going directly to an event—and I am working back to the bill—because of the vastness of my riding, it would be inappropriate for me to ignore the trip. So if I have to go to, let's say, Pembroke for some reason, it would be inappropriate for me to not stop in Golden Lake and say hello to a few people or something. So that's the kind of way that we've become accustomed to in my riding. But I am getting back—

The Deputy Speaker (Mr. Bruce Crozier): I get the point of your lecture. Thank you.

Mr. John Yakabuski: Yes, yes. I'm getting back to it as quickly as possible.

Mr. Jeff Leal: Just keep speeding when you go through Peterborough.

Mr. John Yakabuski: I must respond to the member from Peterborough, of course, as we generally do in this House, because it's the courteous thing to do when a member from the other side says something. I often stop in Peterborough on my way home. And I say to the member that—

Mr. Jeff Leal: We had sightings of you shopping at Zellers.

Mr. John Yakabuski: Well, I don't know if you would have had sightings of me—

The Deputy Speaker (Mr. Bruce Crozier): Member for Peterborough.

Mr. John Yakabuski: I'm not going to pick on one particular business or another. But I do stop in Peterborough from time to time for a bite to eat because it's kind of halfway between my residence in Barry's Bay and the Legislature here. So from time to time I do stop there.

But let's get back to the bill, because I know what he's trying to do: He's trying to take me off my intention, which is always to speak directly to the matter before the House. And the matter before the House this morning, as you know—and I know it's not a prop when you hold up a bill—is Bill 177.

The concern I have—I share so many of those concerns with the member from Welland about the real intention of this bill. We had a significant problem in Toronto. Is it always that the world revolves around Toronto and that trustees in my riding, or the ridings of my friends from Durham or Parry Sound–Muskoka, are going to be sort of painted with the same brush by this bill? There's an accountability issue, and there has—

Ms. Cheri DiNovo: On a point of order, Mr. Speaker: I look around this chamber and I see very few government members here. I'd like to have a quorum call.

The Deputy Speaker (Mr. Bruce Crozier): Is there a quorum?

The Clerk-at-the-Table (Ms. Tonia Grannum): A quorum is present.

The Deputy Speaker (Mr. Bruce Crozier): A quorum is present. The member for Renfrew–Nipissing–Pembroke, the floor is yours.

0930

Mr. John Yakabuski: I too was wondering about those numbers, but they did seem to appear very quickly when a quorum was called. The member from Parkdale–High Park certainly has that effect on the government side of the House: They're in, they're out, they're in sort of thing. Anyway, where was I?

Trustees throughout the province are feeling like they are being somewhat attacked or their integrity is being attacked somewhat as a result of this bill and the fact that the government is advancing it at this time. We all read numerous news clippings back in 2008, I guess it was, with respect to the egregious lack of accountability back in the first part of 2008 where trustees in Toronto were clearly abusing the trust that was placed in them regarding legitimate or illegitimate expenses. My colleague from Welland articulated very well when he said it almost appeared like there was an encouragement for the fact that, you know, these trustees complained that they don't get paid enough—although they should perhaps work under the remuneration conditions that trustees in my riding would get—but because of the fact that they weren't happy with the pay scale, it was almost like, “Well, here. It's very important that you, as a trustee, have a credit card.”

Now, I don't quite understand that. We all have the right to apply to be compensated or reimbursed for out-of-pocket expenses on behalf of our employer. As members of the Legislature, if we go on an assembly trip, we pay for that and then we apply—when I say a trip, if we have to go to another riding for meetings or another part of the province for meetings and we have to spend the night in a hotel room or whatever, we pay for that out of our pocket and then we apply for reimbursement, and that's the best way that the assembly itself can see the accountability for those expenditures. They see that they are legitimate; they can be assured that the member was, in fact, there and it was on assembly business. But they don't give us credit cards where you just swipe, and there goes the statement at the end of the month. That's probably partially what led to the fact that these things were going on. It's far less likely that someone is going to be checking things closely, because there's simply a bill that comes in to the board, paid by someone on staff, as opposed to a claim from an individual trustee who says, “Okay, I'm out this money. My family has the right to receive that money back as quickly as possible.” So the accounting people would look at it and legitimize it and reimburse the individual trustee.

But when you give somebody that credit card, boy—we do it with our own credit cards sometimes, where you just don't think sometimes and don't realize how fast that balance can creep up. I don't think it's a very good way of allowing people to run up expenditures when there is a better way, which is reimbursement.

At the same time, there were a lot of wrong things—illegitimate, illegal, possibly illegal; I'm not the lawyer in the House here. But when those things were going on, of course, they drew a lot of attention to that issue in the Toronto Sun, the Toronto Star, the Globe and Mail, the National Post. All the papers printed here out of Toronto paid very close attention. And some of the things were, like the member said, lingerie. What in the Sam Hill has lingerie got to do with doing your job as a trustee for the Toronto school board? I don't know. I want to get an invitation to some of those meetings, though. They must be exciting: lingerie and Caribbean vacations. I guess it's very important—perhaps you think better under the warm climate of St. Maarten or the Virgin Islands or something; I don't know. Perhaps there's a better thought process or you come up with better ideas. Maybe, when you put all of those things together—a Caribbean vacation and wearing lingerie—you're bound to come up with the best possible solution for Toronto's school boards.

Mr. Jeff Leal: It would be a little chilly in our parts.

Mr. John Yakabuski: Yes, it is sometimes chilly. Some of the responses I get from the other side of the House are rather chilly too sometimes, but I try to warm them up from time to time.

What I don't like about this is the fact that it paints all the hard-working, very minimally remunerated trustees from ridings like my own—the Renfrew County District School Board or the Renfrew County Catholic District School Board in my riding of Renfrew–Nipissing–Pembroke. If we keep telling these people, “You're not trustworthy; we have to keep the hammer down on you because of what happened somewhere else”—you look at this bill and it takes away really the autonomy of those people—sooner or later, people are going to ask themselves, “Am I relevant at all as a school board trustee?” Or is the trustee of the past and the minister of the present—she wanted to run the education system when she was a trustee, and now she really wants to run it as the minister. She thought the trustees were the key to the system when she was a trustee. Now she's the minister, and she wants to render those trustees irrelevant and take over the whole ministry herself.

They must be asking themselves, quite frankly, “Wasn't she one of us at one time? Wow, how power seems to change people.” But those people are going to start asking, “If I've been rendered irrelevant, why do we even take these jobs?” You know, in small communities and—

Mr. Michael Prue: On a point of order, Mr. Speaker: I wonder whether a quorum is present to hear this wonderful speech.

The Deputy Speaker (Mr. Bruce Crozier): Is a quorum present?

The Clerk-at-the-Table (Ms. Tonia Grannum): A quorum is not present, Mr. Speaker.

The Deputy Speaker ordered the bells rung.

The Clerk-at-the-Table (Ms. Tonia Grannum): A quorum is now present.

The Deputy Speaker (Mr. Bruce Crozier): A quorum is present. The member for Renfrew–Nipissing–Pembroke, the floor is yours.

Mr. John Yakabuski: Thank you very much.

I really have to speak to this quorum issue for a moment. I appreciate the fact that my friend from Beaches–East York was counting the numbers and determined that there were not sufficient members in this House to form a quorum. I'm kind of disappointed, in a way, that he drew attention to that, because it says something about—I'm concerned, and I'm probably going to go back to my office a little later and do a little practising, because I used to be able to draw a reasonable crowd in this chamber. This is the first time that quorum has ever been called while I've been speaking, and I'm really, really disappointed in that. It's funny, because when I get really, really worked up, the Liberals seem to pay attention. Maybe I haven't been clear enough about what I see as some of the problems in this bill.

0940

Mr. Dave Levac: Loud enough.

Mr. John Yakabuski: Loud enough. Okay. Well, you know, sometimes you just have to save that throat a little bit, too. You may have an engagement of another kind—

Hon. James J. Bradley: For question period.

Mr. John Yakabuski: Yes, for later in the day.

My colleague from Kitchener–Waterloo, Liz Witmer, is the critic for education and a former trustee herself, so she understands the—

Mr. John O'Toole: She's a former high school teacher.

Mr. John Yakabuski: She was a high school teacher as well. She has seen the education system from all directions and all angles and understands it very well. She was the Minister of Education, as well, in our government. So there's probably not a more knowledgeable person in this House when it comes to the education system in the province of Ontario, with her background, and she too has raised serious concerns with respect to the autonomy of local school boards.

Again, I'd go back to my original point, just briefly, about how we understand why the government brought in this bill at this time: because they're under the gun. They're under the gun for the lack of accountability that they have shown here in the province of Ontario, in education as well. It took the minister forever and a day to react to what she knew was going on within the Toronto Catholic District School Board and she kind of turned a blind eye to it for quite a while. It's symptomatic of the way that they go about accountability issues: First they try to deny them, then they try to do nothing to see if they'll go away, and then they come in with a response that is either inadequate or misdirected. In this case, it actually fills both categories: inadequate and misdirected—certainly, misdirected from the point of view that it tars all of those well-meaning trustees with the same brush.

My colleague from Welland brought in a very interesting dimension to it, with respect to the code of conduct and what you must adhere to and how you could be

frozen out as a trustee by your colleagues. We don't have the regs. The devil is always in the details. Presumably it could be that you don't sit on the same side of an issue as your colleagues and you could be censured. He likened that to the politburo in the Soviet Union. Sometimes I wonder if it doesn't actually operate in a similar fashion here, because I can tell by some of the things that are said in this House, some of the questions that are asked, some of the statements that are made by members of the government, that there's clearly a concern on the part of members of that party that if you're not doing as you're told, you could find yourself on the gulag.

Mrs. Carol Mitchell: Oh, come on.

Mr. John Yakabuski: I know that upsets people over there. But if you look at the pattern here, even the Speaker—not you, Mr. Speaker, but the Honourable Mr. Peters—has cautioned the government recently about this practice of having its members just get up and make statements on behalf of the minister so that the minister can respond on behalf of the minister again. So you really have to wonder if that's the kind of thing they're thinking of here. Are we going to have school boards saying, "Yes sir, yes sir, three bags full"—or you could be sitting on the outside looking in.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Michael Prue: I listened intently to this speech because, as always, my friend from Renfrew–Nipissing–Pembroke speaks passionately but he speaks with a lot of humour and it is a pleasure to hear him. So when I stood on a point of order to question whether or not there was a quorum, it was not to stop him, but because I believe that there should be more people in this chamber to hear such eloquence, to hear the entertaining value. I want to assure him, because I think he felt a little bit taken aback that there weren't more people present, and this is the first time it has ever happened to him. I want to say that I meant no umbrage; I just really, really believe that more people who were sitting outside, who were in close proximity, should be brought in to hear the speech.

He spoke with some eloquence. He talked about the problems inherent in some of the school boards, particularly the Toronto Catholic District School Board, and the reason that the public is expecting far more from boards. But he also said, I think quite correctly, that this is a bit of a sledgehammer, this bill. It's a bit of a sledgehammer that will take away the rights of duly, democratically elected people, and I would surmise from what he had to say that he will be in opposition to this bill when it is called for second reading, because I believe that's—

Mr. Dave Levac: He's had an epiphany.

Mr. Michael Prue: Yes, I think perhaps he has had an epiphany on this entire issue. I trust that's where he's coming from.

I would just like to again commend him for what he had to say and for, as always, providing good entertainment value while he discussed a very serious issue.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. John O'Toole: As has been said, the member from Renfrew–Nipissing–Pembroke did take us on a long kind of journey around his riding. He also made some very good points that I think were most relevant. He was talking about his riding, which is to a large extent a very large riding, primarily rural but made up of very tight, small communities. I'm concerned about the same thing in my riding: Small, rural schools are being threatened. This is part of the governance issue within this, with the ministers—the whole government, for that matter—centralizing everything, whether it's in health care or education. Small, rural schools are threatened.

I just want to put on the record that his remarks are similar to the remarks that I might make, if I have a chance. The trustees themselves are generally highly regarded citizens of the riding or the community that they represent. They're very strong defenders of their rural schools, the small schools that maybe don't have swimming pools and gymnasiums and all the resources. But they have dedicated staff and the trustees try to work with them to make sure they can free up all the resources that are available.

But this bill really does quite the opposite. In fact, if you look at the online public website—this is an article by the OSSTF, the Ontario Secondary School Teachers' Federation. It says here: "OSSTF does not support Bill 177, in its current form, as this is clearly not the case. OSSTF calls upon the government to delay final reading of Bill 177 and move to real public consultation on the legislation and its impact upon school board governance, student achievement and credit integrity." I'd say that that pretty well sums up our position on this, which is that the minister, from her office, will be running the whole education system in the province of Ontario, and I'm concerned about small, rural schools in Ontario not getting the resources they need.

The Deputy Speaker (Mr. Bruce Crozier): The member for Parkdale–High Park.

Ms. Cheri DiNovo: I second what my colleagues have said about the member from Renfrew–Nipissing–Pembroke. He's always entertaining. Certainly, I know from sitting in the Chair that he always keeps me awake, which is a good thing.

He touched on what is important about this bill, and that is that really it is a kind of muzzle bill on trustees' actions. Ostensibly, it is to correct egregious spending, but it really goes way beyond that. We know it goes way beyond that because we're not talking about an overpaid group of bureaucrats like those who maybe exist at eHealth or the OLG; we're talking about people who are paid \$25,000 a year to do a really important elected job. They are directly responsible to parents, and we want to keep them directly responsible to parents, but what this bill does is shift that to make them directly responsible to the Minister of Education. That we simply can't buy. That really is a strike at democracy.

I appreciated his comments about the politburo being located on the second floor of this building and references to the gulag etc. Clearly, perhaps a little exagger-

ated, but then again it's a slippery slope, and when we're talking about representative democracy, we're talking about the institution of parliamentary democracy and those who are elected to elected positions representing their constituency. It's always a sad day when the government steps in and really cuts that off at the knees, which is what this bill would do for trustees across the province.

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We all know that trustees have played a gadfly role, a significant one, even in the days of the so-called education Premier. Think about the school pools issue, the role that trustees played on the front lawn of this building to force the Minister of Education to look at that issue again. We want that kind of role to be continued. It won't be continued with this bill.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

The member for Renfrew–Nipissing–Pembroke, you have up to two minutes to respond.

Mr. John Yakabuski: I appreciate the comments from my friends from Beaches–East York, Durham and Parkdale–High Park on my short speech.

I'm disappointed that members of the government side, particularly, I believe, the member from Brant, who has a career background in education, would not have commented on my speech as well.

Interjection.

Mr. John Yakabuski: But, you know, again, orders from headquarters.

One thing I didn't have the chance to speak on—I don't get more time after this, do I?

The Deputy Speaker (Mr. Bruce Crozier): No.

Mr. John Yakabuski: Another part that they've rolled into this bill, along with the accountability, is also the governance side of things. One of the concerns I really have is that they're telling boards that they have to achieve standards, but they are not giving them the financial tools in order to reach those standards. My boards are being forced to rob Peter to pay Paul continuously within their budgets. We have tremendous challenges in transportation. We're being forced to go to staggered bell systems in a vast rural riding that simply is going to cause tremendous problems for teachers, parents, students and families in my riding.

The ministry continues to want to set the standards, dictate that the boards must adhere to them, but allow no autonomy for the boards to actually make decisions that would be in the best interest of the people in their riding. You cannot take the cookie-cutter approach where you say, "Well, this is what we're doing in Toronto." I know it always sounds like I'm harping on Toronto and that's not the case; it's just the best comparison. You just can't say that because something is workable or functional in Toronto it's going to work in rural Ontario. It doesn't, Mr. Speaker. You know that and everybody here knows that.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Michael Prue: In preparation for the debate, of course, you have to start to read the legislation; you have to look at it. As I was reading it, looking at it, studying it, the thing that first came to my mind were the immortal words of John Donne. I'm going to paraphrase because I have to add one extra word. He is one of the greatest reformist poets in the 17th or 18th century. He wrote brilliant poems. Two of his most famous lines, paraphrased by me: "Never seek to know for whom the school bell tolls; it tolls for thee." I think any trustee who is looking at this knows that this bell is tolling. It's about to announce the death of the school boards. It's about to announce the death of those positions and it's about to put an end to more than 100 years of active school boards in the province of Ontario. I'm not trying to speak with hyperbole or anything else, because the key section of this bill, Bill 177, will allow the provincial government to "make regulations governing the roles, responsibilities, powers and duties of boards, directors of education and board members, including chairs of boards."

Here it is in a nutshell. This is what the province is planning to do with the boards of education across the length and breadth of this province—not just the public boards but the Catholic boards; not just the English-speaking boards but the French boards. All of them will now be covered under the ambit, and the government may make any regulations governing the roles, responsibilities, powers and duties of elected members, as well as those who are hired by the boards.

I think back over the years about the school boards across this province and the brave stance that they have taken against governments. I think back to my friend and colleague Gail Nyberg, who was the chair of the Toronto school board during much of the Harris years, in which the monies were cut, where school board trustees earned \$5,000 a year. She kept that job. She kept working and fighting for the students and the families in Toronto against huge school cutbacks. I think with some admiration of what she did and how hard she worked in order to try to maintain the education system within the Toronto board and I guess throughout the province of Ontario. I think how little remuneration she got and of how many times governments, especially that government of that day, wanted to shut her down but didn't do so—did not take the opportunity and did not even, in the deepest and darkest days of Mike Harris, act on school boards the same way that is being acted on here today.

I think about my friend and colleague in Beaches–East York, Sheila Cary–Meagher, who is the trustee for the combined ward 31 and ward 32 of Beaches–East York, in the city of Toronto, and the very difficult job she has—how she maintained and continued to go to work at \$5,000 a year, later \$10,000 a year and now all the way up to \$25,000, and how she fights and does the best she can for the students of our ward; when I go around to the schools and I see her talking to parents and advocating on behalf of education, the amazing job that she does, and how she is willing to stick her neck out and take a lot of public flak. Whether you agree or disagree with her, she

was one of the key voices that talked about Africentric schools. She was one of the key voices that came out and said, "We need to do something to ensure that young black children do not drop out of school." She put her neck on the line during that time, and I know it was a difficult time for her and for others in the school board who advocated for that move. Again, whether you agree with it or disagree with it, it showed the kind of leadership she was willing to give and that she gives. I can see this bill trying to muzzle that kind of leadership. I can see that the roles and responsibilities that duly elected caring people took on is perhaps a thing of the past.

I look over into the next ward at a relatively new member of the Toronto school board, Cathy Dandy, and I've known her for some years. She came here to the Legislature many, many times on education bills to speak in committee and to voice the concern of parents and educators and people who were worried about what was happening to the school system in Toronto. I have followed with some interest what she has said as a new school trustee for the last two and a half years or so and the amazing job she is doing at the Toronto school board.

We cannot forget Irene Atkinson. There is a woman who has spent her entire life advocating for parents and children in the school board. Is she to be silenced too? I know what this is all about—and I ought not to forget my colleague and friend from the Catholic school board, Angela Kennedy. She has a very difficult job, and it has been made impossible because that board has been taken over by the education ministry, and it does not appear likely that in the entire term it will be allowed to meet again. It's a very difficult job that she has. She is a caring person who believes very strongly in Catholic education and has done her utmost in order to try to deliver that kind of education for the children in the east end of the city of Toronto, and I think throughout the entire area of Toronto. She has twice put her name forward to run as an MPP and, although not successful, she did run credible campaigns. She was for the Conservatives. I don't want you to think I'm speaking about New Democrats, totally and alone. She is a voice that should be listened to, but unfortunately she is not being listened to, nor are any of the Catholic school board trustees at this time.

Here we have a circumstance where the school boards in the province of Ontario are increasingly becoming irrelevant, not because they don't want to do a good job, not because they don't have good people who are doing the job, not because these people fail to listen to the parents or the students or to act in the best needs of the community, but because this government—as did the previous government—sees ways of cutting down the influence of the school boards so that the entire decision-making process now takes place here at Queen's Park.

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And we've seen boards across the province taken over because they have refused to kowtow—which is a good Chinese word—to the government. They refuse to bend down, they refuse to back up and back off, and we're seeing this. We're seeing what is happening to school

boards which once had the power to tax. They no longer have the power to tax. That has all been taken away in the last number of years. The boards across Ontario once had the power to set curriculum; they no longer have that power. They once had the power to set testing, to make sure that teachers, principals and superintendents were doing a good job. That power has all been taken away and now rests with Queen's Park. They had the power of the community to make changes in terms of the structure of the boards. And all of that does not happen. The only thing they're going to be left with is the power to shut down schools. They're going to have the authority to shut down schools in order to make their budgets match. That's a power I don't think they want. That's a power that the government gladly should be taking over.

But the government, though, is very smart, because they know that if they came in and shut down the school, they would be answerable to the electors, the parents and the angry citizens of whatever locale in which the school was shut down. So they're leaving that power with the school board. The poor school board trustees are going to have to take all of the flack. And we know what's happening with declining enrolment. We know what's happening with EQAO. We know what's happening with the inability of the schools to manage the funds, because the funding formula is so badly broken. We know that this minister came to power and talked about the broken funding formula. I remember this minister when she was a school board trustee. I remember the firebrand that she was in those days. I remember her standing up to a broken funding formula and arguing with huge passion about how that funding formula needed to be reversed and how it had to be made to work for the students, and then I watched this minister leaving the funding formula in place, a funding formula that is strangling the school boards—and now legislation which will make them largely redundant.

Mr. Dave Levac: No changes, Mike?

Mr. Michael Prue: No changes.

Mr. Dave Levac: Oh, come on.

Mr. Michael Prue: My friend over there thinks there's been some great changes to the funding formula. I would invite him, if he thinks there are great changes to the funding formula and as a former principal, to stand up and speak to the issue, because I haven't heard any Liberals speak to this issue in days.

Mr. Dave Levac: We're just listening—

Mr. Michael Prue: Okay, they're just listening. If they have something to say, I think they should stand up and say it, because it is disappointing to me to have only opposition members stand up and speak to this bill today.

Mr. Charles Sousa: Be factual.

Mr. Michael Prue: Be factual? I am being factual. I'm being absolutely factual, and if the government has any other facts I invite them to stand up and speak, because this Legislature is supposed to be a forum for debate, and the debate cannot be one-sided and the debate ought not to be one-sided. I will gladly be persuaded. To quote Socrates, I would gladly be persuaded by you, sir,

but not against my better judgment and certainly not in the absence of anything that you have to say, because you're not saying anything at all. You can taunt as best you want. The member can taunt as best he wants, and I thank you, Mr. Speaker, for drawing attention to the fact that I should be speaking to you, but in the absence of him having the guts to stand up and actually say something on his own, then I think what he is taunting largely remains irrelevant.

We know what is happening in Ontario and what is likely to happen in the months and years ahead. The first thing is the whole concept and the whole reality of declining enrolment. Closing schools offers a tempting, unimaginative, short-term approach to declining enrolment which will provide immediate, limited cost savings and nothing more. I think that's what the government is looking at here: the ability to muzzle those who have stood up in the past against the closing of schools—the trustees—to try to muzzle them and put them in line as best they can. A trustee who opposes the closing of a school will now, after the decision is made to close it, have to shut up and support the board. That's what the bill says.

I have to agree with my colleague from Welland: This is a very strange thing to ask of a democratically elected body. I cannot stand up and support every government bill. I do support some from time to time because I think they're right. When I think they are wrong, I oppose them. Even when they pass in this House, I do tell people why I did not vote for it, why I think it's wrong and why I think it needs to be changed.

I wonder whether trustees are going to be allowed to do this anymore. I would welcome any member across there to stand up and assuage my fears, assuage them as to whether the bill doesn't do that, because it says it does. It says it does.

I question all of the schools that are potentially going to be shut down. I know that enrolment is declining in Toronto. It's declining not as much in the GTA, but it's declining in small-town Ontario and it's declining in northern Ontario. There is perhaps an overabundant use of space for schools in many communities. But we have to question what is going to happen to those schools, because this is all cyclical. Depending on birth rates, depending on immigration, depending on the flow of jobs from one area to another, families are forced to move, and the schools have to be available. They have to be available sometimes on fairly short notice and sometimes for longer periods of time to look. I'm questioning whether or not these schools should be shut down. I'm questioning whether or not the trustees may be empowered to find imaginative uses, whether they be day-care centres, whether they be homes for the aged or whether some of them may be allowed to be parkland or be used for community use. There is a whole bunch of things that trustees could and should be involved in, and I'm not sure that their role will allow that any more.

Mr. Dave Levac: Did you read my report?

Mr. Michael Prue: Perhaps the member from Brant over there, if he wishes to speak—I would invite you.

You can use some of my time if you want it. I don't know, Mr. Speaker. All I get is catcalls over there from a man who hasn't got the bravery to stand up and speak himself.

Laughter.

Mr. Michael Prue: There it is. But he knows how to laugh. Okay.

We are concerned that the report of the governance review—

Interjection.

The Deputy Speaker (Mr. Bruce Crozier): Member for Brant, come to order.

Mr. Michael Prue: The report of the governance review committee on Bill 177 does not fully acknowledge the duties of trustees as elected representatives. I think, first and foremost, that's what has to happen. The bill has to acknowledge that they are duly elected, they have constituencies, they have the right to speak out on behalf of those constituents, and they have the right to make the decisions that are necessary. The report makes them sound like they are ministry employees. Quite frankly, I think that is the attempt that is being made here: to muzzle them and to treat them like ministry employees. Like so many bureaucrats, they are told what to do, what to think and what to say. In the end, they are told that they have to support whatever decision is being made.

But I have to question, do they not have, and should they not have in the future, a duty to the parents who elected them? That's what the parents expect. They expect that when something is going wrong at the school, they can pick up the phone, call the trustee and have a resolution to their grievance. Certainly, every year around the first of September, I get many phone calls in my office asking what they can do to move a child from one school to another because of the areas and the artificial lines that are drawn to say students in this catchment area can go to this school, and children outside that catchment area must go to another school, save and except if there is room in the original school that the parents want. I get a lot of calls about that. I refer them to the trustees because, in fact, that has been and is their job: to consult with the parents and to do the right thing.

I'm wondering whether or not that is going to continue in the future and whether they're going to have that authority to set those lines and to deviate from those lines. I have to question, do the trustees have a right to represent the communities which elected them in the face of inadequate government funding? Will trustees have the right to stand up in public fora and talk about the funding formula? Will they have a right to talk about the inadequacy of the funds they have for the programs that they need to meet? Or are they simply going to be told by the ministry what they have to cut, where they have to cut and how they have to cut it?

I'm very worried about that. I think the members opposite should be worried about that, too, because if that is the eventual intent, then the government should just stand up and tell the people of Ontario that there is no longer a role for trustees. There is no longer a role for democratically elected people to manage the school boards, be

they public, Catholic, French public or French Catholic boards. We need to hear that because to do this by subterfuge, I would suggest, is not correct.

The trustees need and welcome guidance in fiscal matters, but they are not part of a master-servant relationship. I would be the first to acknowledge the egregious actions of certain members of the Toronto Catholic District School Board and the funding and the expenditures that they made which were improper. They were improper, and they have been duly chastised. That board has, for all intents and purposes, ceased to exist. Even though the members want to hold meetings and discuss with parents some of the aspects of Catholic education in Toronto, they are forbidden by the supervisor to do so. They have, for all intents and purposes, become irrelevant, and there is no movement by this government or by this minister to reinstate powers to those trustees. I understand the chastising was necessary, and I understand that a certain period of time had to take place for the supervisor to get it in order, but it appears now unlikely that that board will meet again until after the next election—if, in fact, the elections are allowed to proceed at all.

I think that any legislation must leave the boards free to ask questions for the voters who elected them, in all cases, exactly the same voters who elect us. They're exactly the same. I do acknowledge that 45% or so vote in provincial elections, and only 30% or 35% or so vote in municipal and school board elections, but they are, by and large, exactly the same voters. The voters have to be, and in all likelihood are, perplexed why this government and this bill are changing the relationship that they have had for 140 years with elected school boards across the province of Ontario.

I am asking the government to think long and hard about what they are doing. If you truly believe in democracy at the school board level, then let it exist. If you truly believe that it ought not to exist, do not hide away by simply limiting the powers as it shrivels, but come out and tell the people and run on that issue in the next election.

Second reading debate deemed adjourned.

The Deputy Speaker (Mr. Bruce Crozier): Pursuant to standing order 8, this House is in recess until 10:30 of the clock.

The House recessed from 1013 to 1030

INTRODUCTION OF MEMBER FOR ST. PAUL'S

The Speaker (Hon. Steve Peters): I beg to inform the House that the Clerk has received from the Chief Electoral Officer and laid upon the table a certificate of a by-election in the electoral district of St. Paul's.

The Clerk of the Assembly (Ms. Deborah Deller): I received a letter addressed as follows:

"Mrs. Deborah Deller
"Clerk of the Legislative Assembly
"Room 104
"Legislative Building
"Queen's Park
"Toronto, Ontario

"M7A 1A2

"Dear Mrs. Deller:

"A writ of election dated the 19th day of August 2009 was issued by the Honourable Lieutenant Governor of the province of Ontario, and was addressed to Lynn Morrow, returning officer for the electoral district of St. Paul's, for the election of a member to represent the said electoral district of St. Paul's in the Legislative Assembly of this province in the room of Michael Bryant who, since his election as a representative of the said electoral district of St. Paul's, has resigned his seat. This is to certify that, a poll having been granted and held in St. Paul's on the 17th day of September 2009, Eric Hoskins has been returned as duly elected as appears by the return of the said writ of election, dated the 25th day of September 2009, which is now lodged of record in my office.

"Greg Essensa

"Chief Electoral Officer

"Toronto, September 28, 2009."

Mr. Hoskins was escorted into the chamber by Mr. McGuinty and Mr. Duguid.

Hon. Dalton McGuinty: Speaker, I have the honour to present to you and to the House Eric Hoskins, member-elect for the electoral district of St. Paul's, who has taken the oath and signed the roll and now claims the right to take his seat.

The Speaker (Hon. Steve Peters): Let the honourable member take his seat.

INTRODUCTION OF VISITORS

Mr. Peter Kormos: Frank Klees and I want to welcome a visitor to this chamber: Greg Sorbara, the member from Vaughan.

Ms. Helena Jaczek: I'd like to introduce some constituents from my riding of Oak Ridges-Markham: Sue Sherban, the former mayor of Whitchurch-Stouffville, and Miranda Hussey. Also, in the public galleries, a number of grade 10 students from St. Augustine Catholic High School in Markham.

Mr. Michael Prue: I would like to welcome today Shirley Connor, the mother of our page Connor, who is here to witness her son at proceedings today.

The Speaker (Hon. Steve Peters): Introductions?

I would like to just remind all the honourable guests who are joining us today that we welcome your observance of the proceedings, but ask that you not participate in any way.

And to the honourable member from Vaughan: That was not out of order because he didn't make reference to somebody being absent.

ORAL QUESTIONS

AGENCY SPENDING

Mrs. Christine Elliott: My question is for Premier: Why did the Premier pick Minister Takhar to serve as his

integrity czar by making him responsible for the Public Sector Expenses Review Act?

Hon. Dalton McGuinty: I look forward to more specifics in the supplementaries, but I can say I have every confidence in Minister Takhar to not only duly and responsibly carry out his responsibilities as minister, but also to, every single day, together with every member of our government, do everything we can to uphold the interests of taxpayers. Ontarians work hard for their money and we have a special responsibility, those of us who are privileged to serve them in government, to respect their tax dollars, to use them wisely and prudently.

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Christine Elliott: Again to the Premier. I will be more specific: Minister Takhar is the only minister in Ontario's history to be found in breach of the Members' Integrity Act by the Integrity Commissioner. The Premier could have chosen from 25 other cabinet ministers who didn't have their integrity censured by the Integrity Commissioner. So why, Premier, did you pick a minister whose integrity has been found to be lacking to be responsible for this important process?

Hon. Dalton McGuinty: The Integrity Commissioner did make some findings with respect to Minister Takhar in the past. That is a matter that has been dealt with, and anything that flowed from that that needed to be done was done. I have every confidence in Minister Takhar and in his capacity to carry out his responsibilities.

The Speaker (Hon. Steve Peters): Final supplementary.

Mrs. Christine Elliott: Dealt with, but far from satisfactorily. At the end of the summer of scandal, the Premier lost confidence in his ministers to oversee the conduct of agencies in their portfolios. At a hastily arranged press conference, he said, "You must lead by example," before dumping accountability for expenses onto the Integrity Commissioner.

Integrity czar Takhar has certainly set an example. Is Minister Takhar truly the best minister you could have found for this position, Premier?

Hon. Dalton McGuinty: Again, this was a matter that was addressed by the Integrity Commissioner. There were, as I recall—I'm reaching back now—some specific recommendations made by the Integrity Commissioner. Those have been put in place; they've been adopted and they're certainly being followed by Minister Takhar. I think that was the right thing to do in the circumstances on everybody's part and I continue to have complete confidence in Minister Takhar.

1040

ELECTRONIC HEALTH INFORMATION

Mr. Robert W. Runciman: My question is to the Premier as well. A troubling pattern is developing. The opposition files a freedom-of-information request, and you obstruct it, and then you try to manipulate the information in order to perform pre-emptive damage control.

On June 9, the Progressive Conservative caucus submitted an FOI on untendered contracts between eHealth and IBM. We were promised an answer within 30 days. It has now been 113 days; we're being told we have to wait 30 more. Premier, who are you trying to protect?

Hon. Dalton McGuinty: I would argue that on our watch we've come a long way when it comes to enhancing transparency and increasing accountability, and I'll just list a few examples of that. One of the first things that we did was to increase the ambit of the freedom-of-information legislation to bring back in OPG and Hydro One, companies that had been excluded by the Conservative government. We then provided new authority to the auditor to take a look at, for the first time, universities, schools and hospitals. We then gave new authority to the auditor—in fact, a mandate—to review government expenditures before we go into an election so there are no surprise deficits that come out on the other side of an election. Beyond that, we've also taken additional steps, and I'll be pleased to speak to those in the supplementaries.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Robert W. Runciman: Management decisions at eHealth weren't as arm's length as the Premier would have us believe. Today there are media reports confirming that not only did eHealth hand out a \$30-million untendered contract to IBM, but that this contract was also approved by the cabinet ministers serving on Management Board of Cabinet.

Premier, were Dwight Duncan, Gerry Phillips, George Smitherman, Michael Chan, Monique Smith, Ted McMeekin and Harinder Takhar at the table when this \$30-million untendered contract was approved?

Hon. Dalton McGuinty: There are maybe three things I'd like to say in this regard. Number one, I think we owe the auditor the courtesy of allowing him to complete his work. We invited him to do that. I think we owe him the courtesy to give him the time to complete it and present it to the people of Ontario all at once. So I won't speculate on what's in or outside of a report when we haven't seen it yet.

Secondly, I think it's important that we recollect now that we put in place a new rule. There was an old rule that was in place under the Conservative government, the NDP government and a previous Liberal government, and we've changed that now. We've changed that to prohibit the letting of untendered contracts. We are now saying there has to be a competitive bidding process. We think that's appropriate, we think that's in keeping with taxpayer expectations, and that's why we took that step and changed a process that had been in place for decades.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Robert W. Runciman: Maybe this explains why the Premier is protecting his Minister of Health, Mr. Caplan. Maybe it's because almost half his cabinet is implicated in the rot at eHealth.

In the past, the Premier told us, "The buck stops with me." That's his quote. Certainly, major cabinet decisions do stop with him.

Premier, this IBM contract was considered at your cabinet committee table before your ministers approved it. Premier, did you know about the untendered IBM contract before it was approved?

Hon. Dalton McGuinty: Again, I think the appropriate thing to do is to wait for the auditor's report.

The step that we took—and I gather I have the support of my honourable colleague in this regard—is to change a practice that had been in place under the Conservative government and the NDP government, which prohibits the letting of untendered contracts now to consultants. As I said, that had been a practice that had been in place for decades. We think it's no longer in keeping with modern-day taxpayer expectations, so we have changed that, and we now require that there be a competitive bidding process. We think that's a step in the right direction.

If there are more steps that we need to take that flow from the auditor's report, then we look forward to receiving those recommendations and we will take those steps.

ELECTRONIC HEALTH INFORMATION

Ms. Andrea Horwath: My question is to the Premier. The McGuinty Liberals said that they were cleaning up the previous government's eHealth mess. A new story today, however, based on leaked information from the upcoming Auditor General's report, says that, in fact, that is untrue. It turns out that the McGuinty Liberals helped flush a startling \$1 billion down the drain on two electronic health system programs with very little to show for it.

How can Ontarians possibly believe the Premier's promise to fix eHealth when those very promises were made while a billion precious health care dollars were being squandered?

Hon. Dalton McGuinty: I can only offer the same response to my honourable colleague the leader of the NDP that I offered to the representative from the official opposition, which is that I think we owe it to the auditor to give him the chance to complete his work and to present that to the people of Ontario all at once.

I want to remind my honourable colleague that it was our government that invited the auditor to take a look at eHealth. We placed no limits whatsoever; there was no circumscription of the mandate that we gave to the auditor. We said, "Take a look at whatever you want. We assure you of our wholehearted co-operation. Please come forward with your findings, be as candid as possible, and come up with recommendations. We look forward to receiving those." That's where we find ourselves at this point in time. I know there's impatience on the part of many, including ourselves, to have that report produced. When it's produced, it will be given to all of us at the same time, and we will respond accordingly.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: One billion dollars lost into the abyss of mismanagement, and Ontario still doesn't have an eHealth system. Meanwhile, 1,200 nursing positions have been axed, local emergency wards have

closed, children's aid society budgets are being slashed, and the Premier says even more cuts are on the way.

Why should Ontarians believe the Premier's pledge to fix eHealth when he has wasted millions upon millions of health care dollars while cutting services for people?

Hon. Dalton McGuinty: Actually, we've made some pretty dramatic new investments in health care, and we've seen some pretty dramatic positive results as a result of those investments, whether you're talking about the reduction of health care wait times, whether you're talking about the thousands of new nurses who are on the job or whether you're talking about getting access to doctors. Eight hundred thousand more Ontarians now have a family doctor or are associated with family health care. We have 14 new MRI machines, increased medical school spaces and the like. There have been dramatic new levels of investment in health care and dramatically new and better levels of service for Ontarians.

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: The health minister stood up in this House in the spring and lectured the Conservative health critic, saying "I'll take no such lectures from the member, given such a sorry track record as we've seen in the past. Our record on electronic health in fact is to correct her errors." The McGuinty Liberals didn't correct her errors; they just picked up where the previous government left off: wasting precious health care dollars. The McGuinty Liberals inherited a mess, there's no doubt about it. They scrapped an old agency and replaced it with one that only made things worse.

Why should Ontarians believe the Premier's claim that he'll make things better when his record so clearly suggests otherwise?

Hon. Dalton McGuinty: I would ask Ontarians to take some of the following into consideration as they pass judgment, as they have every right to do every day, on their government. We encountered some problems at eHealth. We have acted on those. We have put in place new measures, including, for the first time in decades, bringing an end to a practice which allowed for the letting of untendered contracts; there now must be a competitive bidding process.

It was our government that invited the auditor to take a look at eHealth to tell us specifically what he thinks is worthy of being brought to light and to put forward recommendations so we can build on the changes we have put in place. That's what I would ask Ontarians to take into consideration as they consider the effectiveness of the activities of their government.

ELECTRONIC HEALTH INFORMATION

Ms. Andrea Horwath: My question, again, is to the Premier. The Minister of Health was quite proud of himself last spring. On April 2 he said, "It was the actions of myself and this government which have eliminated or quashed Smart Systems for Health and formed eHealth Ontario.... That's why I came along, along with my pre-

decessor, to be able to re-form this agency, eHealth Ontario." Nothing more than empty words, it turns out. Given how miserably the minister has failed, why does the Premier keep him around?

1050

Hon. Dalton McGuinty: I think if you take a look at what has happened to health care in Ontario during the course of the past six years, and the combined efforts and the cumulative impact of those efforts for Ontarians, the efforts made by Minister Smitherman and Minister Caplan, I would argue that they have been the two most successful ministers of health who have worked together, hand in hand, to improve the quality of health care for Ontario families.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: A senior health bureaucrat involved in both Smart Systems and eHealth is quoted in the news report questioning the McGuinty Liberals' underlying argument that eHealth was brought in to replace Smart Systems. She said that they were completely different programs, with separate roles. The Premier said he brought in eHealth to replace Smart Systems. My question is simple: Who is telling the truth?

Hon. Dalton McGuinty: There has been an effort, and it's been an effort that has been engaged in by our government and the previous government as well. It's based on a pretty profound understanding that we've got to find a way to move toward electronic health records in the province of Ontario. We also understand that getting there is not easy. It takes time. There are costs associated with that. We have made some significant progress, but we're not satisfied with the progress that we have made to date and we're going to keep moving forward. I know that Ontarians have seen changes when it comes to their health care wait times. They can see changes in the new hospitals that we are building, they can see changes in the number of doctors they now have access to, and they also know that they continue to have a healthy appetite for more progress when it comes to electronic health records. We will not rest until we have a good system in place, a good, affordable and effective system for Ontarians.

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: While the Premier pats his health ministers on the back, the people of this province who desperately want health investment look at his government and see a big, ugly mess. The minister said he'd fix the Smart Systems disaster; instead, he made it worse. The minister said he had a plan but bureaucrats contradict him. Is anyone on that side of the House actually responsible for anything at any time, or does the Premier think his job is simply to lurch from crisis to crisis?

Hon. Dalton McGuinty: I always appreciate the—
Interjections.

Hon. Dalton McGuinty: It's not possible. I always appreciate these creative interventions. They are nothing if not invigorating. I know that my honourable colleague and the opposition generally have brought a great deal of attention to bear on the matter of eHealth, and I would

argue that is in part their responsibility. But we will continue to do more than just do right by Ontarians and their eHealth system. We are also going to continue to work hard to get wait times down. We not only have done that when it comes to cancer surgeries, angiographies, angioplasties, hip replacements, knee replacements, cataracts and pediatric surgeries, but we are now moving forward, when it comes to wait times, in our emergency rooms. That's not the kind of thing the opposition is interested in, but I can tell you our families are—

The Speaker (Hon. Steve Peters): Thank you.

MINISTERIAL RESPONSIBILITY

Ms. Lisa MacLeod: My question is for the Premier. Through Bill 201, the Premier appointed a minister who has been found in breach of the integrity act as the new integrity czar, and this just after we learned that no fewer than six of his own cabinet ministers, including the current Minister of Health, had a hand in untendered contracts at eHealth. If the pattern of accountability that we've already seen continues it will be bureaucrats, not ministers, whose heads will roll when his Liberal government fails, and that's not good enough. A minister has to be held accountable for his or her actions and that's their responsibility to Ontario's taxpayers. Will the Premier lead by example and fire minister Caplan and any other minister who fails to take their responsibility seriously?

Hon. Dalton McGuinty: Reference has been made to Minister Takhar. I didn't have the necessary paperwork at hand at the time. That's just the way it works in question period and I understand that; and I took advantage of that when I was on that side of the House. But I do have some paper here now.

I think it's important to remind Ontarians about the Integrity Commissioner's findings at the time because Minister Takhar's reputation has been brought into question by the opposition. Here are the findings, the last page of the report: "I have to recognize that the minister did not go about intentionally trying to short-circuit the system. I accept his statement that had he realized that his arm's-length relationship ... was compromised, he would have taken steps through this office to straighten things up.... I think it would be unfair to sanction the minister beyond issuing a reprimand...."

I think it's important to set the record straight and I think it's incumbent upon my honourable colleagues to do the same.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Lisa MacLeod: I have some facts of my own: \$25,000 for a speech is unacceptable, and the waste and mismanagement at eHealth and OLG are unacceptable. In the case of Minister Caplan, he ought to be held accountable. The fact that Minister Takhar is your integrity czar and Minister Caplan is still in charge at eHealth—you are making a mockery out of every single promise you have ever made about accountability to the people of this province.

Premier, will you fire Minister Caplan and make ministerial accountability something that we can say is worth something again?

Hon. Dalton McGuinty: I want to remind my honourable colleague about some of the steps that we have taken to improve the quality of government. These are steps that were taken beyond those ever put in place by previous governments. As I've said a number of times already today, we have banned sole-source contracts for consultants in Ontario through our government. We've introduced a bill in this Legislature that will have the Integrity Commissioner review the expenses of our 22 biggest agencies, boards and commissions. We've put in place mandatory training when it comes to the matter of expense claims for people who work in the government in our agencies. We're also going to mandate for the very first time—I think we're the first province to do this—the posting online of expenses for the senior OPS, for the biggest agencies, boards and commissions, and for cabinet. I think that is progress.

DISASTER RELIEF

Mr. Paul Miller: My question is to the Minister of Municipal Affairs and Housing. The McGuinty government is refusing to help thousands of Hamilton homeowners whose basements were severely damaged during an extremely intense rainstorm in July. The city of Hamilton estimated that homeowners are facing uninsured damages totalling \$20 million to \$40 million.

The Ontario disaster relief program is designed precisely for this: to help residents pay for uninsured damages arising from catastrophic events. It has helped residents in dozens of communities across Ontario. Will this minister explain to the people of Hamilton and the homeowners why they are being left out of this program?

Hon. Jim Watson: Let me begin by thanking the officials in the city of Hamilton for the work they have done and for neighbour helping neighbour. I know this is a very difficult time for the residents who had their basements flooded, and we've seen that in other jurisdictions across the province of Ontario.

ODRAP, the Ontario disaster relief assistance program, which has been in effect for many, many years, has a formula that we have to follow. It requires us to look at the ability of the particular municipality to pay and help with a particular natural disaster. In the case of Hamilton, the financial information returns that the city is in good financial health with its own-purpose taxation of \$636 million in 2008. Therefore, regrettably, the program would not apply to the city of Hamilton, and that was why we were in contact with Mayor Eisenberger just a short time ago, to let him know that.

Mr. Paul Miller: I don't know what city he's talking about; it sure isn't mine.

The minister is quoted in today's Hamilton Spectator as saying that the uninsured claims are not of a sufficient magnitude to warrant support. We're talking about tens of millions of dollars here. We're talking about families

who are struggling to meet mortgage payments and can't even put food on the table. Twenty per cent of the people in my riding are living below the poverty level. There is no other program that these people can turn to. Why is this minister intent on hanging Hamilton's flooding victims out to dry?

1100

Hon. Jim Watson: It's regrettable the honourable member is using that language. We're doing nothing of the sort. This government has been a good friend of the city and the people of Hamilton since we had the honour of forming government in 2003.

Let me just tell you some of the funds that have flowed to Hamilton as a result of this government's investment: the Investing in Ontario Act, \$48 million; the MIII program, \$14 million; infrastructure stimulus funds for things like sewers and water pipes, \$61 million; and roads and bridges since 2003, \$136 million. The city also received significant grant funding in the amount of \$53 million in unconditional grants that the city is able to use on sewers, preventive measures and the like.

Our caucus members from Hamilton—Hamilton Mountain and the Minister of Consumer Services—are always there to stand up for Hamilton. We have delivered for that city and will continue to do so.

TENANT PROTECTION

Mr. Eric Hoskins: My question is for the Minister of Municipal Affairs and Housing. Minister, in my riding of St. Paul's I've had the opportunity to speak with hundreds of renters who are concerned about the cost of living. With rising gas prices and a challenging economic outlook, they want to know that they will be protected.

According to the most recent Statistics Canada data, nearly half of households in the city of Toronto are renters, many of whom live and work in St. Paul's. My constituents are working hard and playing by the rules. They want their government to be working hard for them.

Minister, under the previous government, the Ontario Rental Housing Tribunal was known as an eviction machine that had no concern for tenants. I know this government passed the Residential Tenancies Act in 2006, but rents are still going up. Would the minister tell us how the Residential Tenancies Act has helped tenants? In addition, will the new HST coming into effect next July apply to rents?

Hon. Jim Watson: It's a real honour to receive the inaugural question from the honourable member. I congratulate him and welcome him to this Legislature. I know he's going to have a long and very productive future in Ontario politics.

The new Residential Tenancies Act offers fair and balanced protection between the rights of tenants and landlords. It's been in effect for over two years and I'm pleased to report that there is no backlog of cases. Every tenant facing an eviction now is afforded the benefit of a hearing, which is something new. Landlords can evict problem tenants with more ease, and tenants in buildings

with serious maintenance problems may apply for a freeze on rent increases. Also, municipalities such as the city of Toronto do have the power to licence landlords.

I also want to note that the HST will not apply to rent. Despite misinformation that we heard in the member's by-election, the HST will not apply to rent. We're proud of the—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Eric Hoskins: These changes will no doubt benefit renters in my riding, but the reality is that the majority of tenants and landlords never have to go to the Landlord and Tenant Board. Most tenants pay their rent and most landlords take care of their properties.

My concern is that rent continues to go up. I've been talking with young families and students who live on tight budgets. They rely on predictable expenses from year to year so that they can maintain their standard of living. With the price of gas and home heating fuels on the rise, my constituents are paying more attention than ever to their bottom line. The NDP wants to cap rent for two years to ensure that rent remains affordable.

I want to know what the Residential Tenancies Act does to ensure rent does not skyrocket. Is a rent cap the best way to ensure affordable rents?

Hon. Jim Watson: Clearly a rent cap would have a negative impact on the supply of rental properties. Individuals who want to build rental properties would be discouraged to do so.

We have brought a much more balanced approach, which so far has kept rent increases low and vacancy rates healthy. The annual rent increase is now tied to the consumer price index. It's fair, it's transparent, and the 2010 guideline of 2.1% protects tenants from rent increases above the rate of inflation while allowing landlords to recover increasing costs.

Let's take a look at the record and go back in history: under the NDP, when they were in office, a 27% increase in rents; under the Conservatives, 23.9%; under the McGuinty Liberal government, 14.4%.

We will continue to take a balanced, practical approach to landlord and tenant relations. I know we have a great new defender of tenants in the honourable member from St. Paul's, and we welcome him to this House.

ONTARIO LOTTERY AND GAMING CORP.

Mr. Peter Shurman: My question is for the Minister of Finance. Despite the efforts of the Minister of Finance, we have finally learned that the Windsor Energy Centre has cost Ontario taxpayers \$80 million. We have yet to hear why this power plant was needed or a reason why the lottery corporation is in the electricity business in the first place. The coffers of the province of Ontario are not for the private use of government ministers. The Minister of Finance must stop hiding behind lawsuits and explain why he approved this ridiculous use of taxpayer dollars.

Minister, why exactly is it necessary for the OLG to own a power plant and why are taxpayers on the hook for it?

Hon. Dwight Duncan: I think the member asks some very valid questions, and we have put in place a new board. We have put in an acting CEO to look at this matter, among others. I do think those are very legitimate questions. We will continue to pursue this. As I've indicated to the member opposite, those are very good questions. They're precisely the kinds of questions that we are looking at at the moment.

I remind the member, with respect to the lawsuit that's outstanding, that there's a further dispute with respect to ownership. That makes it difficult to respond, but, indeed, these are among the questions that we have asked and at the appropriate time we'll be able to respond.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Peter Shurman: Not for the first time we find ourselves disappointed with the minister's answers. We now know that the power plant was essential to the casino expansion, and no one had figured out that that was the case until well into the construction of the casino. That's right: These geniuses didn't know that the Windsor grid couldn't handle the casino.

Minister, you're a former Minister of Energy, you are the current Minister of Finance and you are the local MPP. It's your mess. Please tell the House how many millions of taxpayer dollars you had sunk into your brand-spanking-new, over-budget, half-billion-dollar casino before you figured out you lacked the electricity to turn on the lights?

Hon. Dwight Duncan: In fact, that investment, which is helping tourism and employing 2,000 people in Windsor today—the community with the highest unemployment rate in the country—was in fact an appropriate investment and the right investment at the time. The Windsor Energy Centre that the member has referenced was in fact a separate project, as he's looked at the public accounts. He's right—it is unacceptable that a budget item of that magnitude goes from \$40 million to \$80 million. We have taken steps to address that in the context of the lawsuit that the operator has filed against the former board and the former chair. We will continue to take appropriate steps in that context, but I want to stress that this—

The Speaker (Hon. Steve Peters): Thank you. New question.

TENANT PROTECTION

Mr. Michael Prue: My question is to the Premier. Mr. Premier, today in the audience are representatives of 2 Secord Avenue. You will remember that apartment building—an explosion where the tenants were forced out of their homes for months. Today they are here because their landlord and the sub-metering companies are taking action against them, and the government is turning a blind eye while some landlords, including this one, are trying to offload the cost of hydro on these vulnerable tenants.

The Ontario Energy Board has issued a strong indictment on this government's inaction, ruling the spread of sub-metering was unlawful, required some basic protect-

tion for tenants and asked that the government act. Since the two ministers responsible for tenant protection and electricity have failed to do their job, will the Premier commit today to take action to protect tenants?

Hon. Dalton McGuinty: To the Minister of Energy and Infrastructure.

Hon. George Smitherman: Firstly, I want to say to the honourable member, to the tenants here and to tenants generally, that with respect to sub-metering, if the Ontario Energy Board has been involved in anything, it's a recognition that this government seeks to ensure that tenants are well-protected even as we support the implementation of sub-metering. We think it's a good policy, but that it needs to be done in a fashion that is very conscious of the necessity of protecting tenants.

What I would like to tell the honourable member is that, through the auspices of your office, I would be very much interested in sitting down with these tenants and trying to work through the issues particular to 2 Secord and to get any assistance from the honourable member, generally, on the matter related to sub-metering of multi-unit residential.

1110

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Michael Prue: I thank the minister for that commitment. The truth of the matter, though, is that the inaction of this government to date has lined the pockets of landlords at the expense of tenants. Tenants such as those at 2 Secord and hundreds and thousands of others are out thousands of dollars paying for inefficient appliances, electric heat and poorly insulated buildings. Saving the landlords money and forcing tenants to pay huge bills is not my idea of an energy conservation plan. If this government really wants to stand up for tenants, you shouldn't be making them fight for their money back in the courts or the Landlord and Tenant Board. Stand up for them now and tell them that they're going to get their money back.

What will this government do to ensure that landlords who profited by this illegal scheme pay back every nickel they took from the tenants?

Hon. George Smitherman: I've already told the honourable member that I'd be happy to sit with him and a group from this particular building that he speaks of. His broad characterizations of sub-metering miss the mark substantially, on two points, essentially. Firstly, the number of units that have moved forward with respect to sub-metering is a very, very small number of units. Of those, the majority had sign-off by tenants. So the member's characterization is somewhat off the mark, but with respect to Secord, I would be very, very happy to sit with the member and a representative group of the tenants and see what we might be able to do to work through this important matter.

ROAD SAFETY

Mr. Kevin Daniel Flynn: I'm sharing this question with the member from Willowdale. The question is to the Minister of Transportation. In 2006, I introduced a pri-

vate member's bill that looked at distracted driving and novice drivers. I was pleased to see the minister introduce legislation that has taken this concept one step further, addressing hand-held electronic devices for all Ontario drivers. The Countering Distracted Driving and Promoting Green Transportation Act passed with all-party support earlier this spring.

Since then, my office has received a lot of correspondence on the issue. My constituents are pleased to see us moving in this direction, but a number still have questions. When will the law come into place? How will it be enforced? What exactly will be allowed? I've seen a lot of media outlets reporting on it as well. I'm hoping the minister today will be able to share with this House what his announcement meant for drivers across this province.

Hon. James J. Bradley: That's a very good question. The member for Oakville is correct. Today we announced that Ontario's ban on use of cellphones and other hand-held devices while driving will take place on October 26—next month. This is about keeping our roads safe. Drivers need to focus on the task at hand: Keep your eyes on the road, hands on the wheel—it reminds me of a song.

What we will see prohibited while driving includes the use of hand-held cellphones, BlackBerrys, text messaging and e-mailing. What will still be allowed includes hands-free wireless devices such as an earpiece or a Bluetooth device. There will be a warning period for three months, until February 1, 2010, at which point tickets will begin to be handed out.

The member for Oakville along with the member from Durham have been advocates on this issue, and the work they did in the private member's bills helped to contribute to this legislation which is a product of this entire—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. David Zimmer: I applaud the minister for Bill 118 and its commitment to safe driving in Ontario. Minister, some of the correspondence that I've received from my constituents includes several questions surrounding the compliance with and enforcement of this legislation. I would like to raise a concern on behalf of my constituents about how the ban will be enforced. Minister, as I understand it, there were extensive consultations with various law enforcement agencies, and all of those agencies are on board in support of the legislation.

But I also understand that demerit points will not be applied to convictions under this bill and for these offences. Minister, without the application of demerit points for this offence, can you tell this House how the new law will be enforced? Secondly, Minister, can you share with us how the—

The Speaker (Hon. Steve Peters): Thank you. Minister?

Hon. James J. Bradley: I want to tell the member, first of all, that we're not leading in this case. We're following Newfoundland and Labrador, Quebec and Nova Scotia. Similar legislation in Manitoba is expected to be

proclaimed soon, and legislation is expected in Saskatchewan this fall.

Drivers who text, type, e-mail, dial or chat using a hand-held device will face a fine of up to \$500 upon conviction. It's important to remember that anyone who chooses to put others at risk by driving while distracted can also be charged with careless driving or dangerous driving, both of which carry severe fines and could lead to jail time and demerit point penalties.

I want to say this bill is a product of the work of all members of this House, both in committee and the House, and I would like to lead in the applause of all those members—

The Speaker (Hon. Steve Peters): Thank you. New question.

GOVERNMENT SPENDING

Mr. John O'Toole: My question is to the Minister of Government Services. Minister, the public accounts were released last week, as you're aware, and the accounts reveal that in 2009 your ministry spent a total of \$864,000 in hotel and conference expenses. That's an increase of 45% in one year.

Minister, in view of the scandals at eHealth and OLG, Ontario has every right to be concerned over just how far your government is going in misspending government money.

Hon. Harinder S. Takhar: Our government understands the importance of using hard-earned taxpayer dollars wisely. Let me just say that my ministry is responsible for all bargaining that happens in this province, and out of this, roughly half a million dollars is used to support labour negotiations and several public sector bargaining agents. It is a common practice to use neutral locations to conduct labour negotiations and for the employer to pay for the facilities. That was the major part of the expenses that the member is referring to.

It is important that we hold these negotiations, and we have signed almost all labour agreements last year, which is about eight or nine of them. Those negotiations have been done outside in a neutral place.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. John O'Toole: Minister, that doesn't explain a 45% increase. We all know that the government already has meeting rooms and conference space available free of charge, paid for by the taxpayers.

Minister, this House knows that the McGuinty government is expecting a deficit of \$18.5 billion in this fiscal year. This follows a shortfall which now stands at \$6.4 billion for 2008-09. In fact, every hour, your government is spending \$2.1 million more than it receives in revenue. With your government's proposed increase in the provincial goods and services tax, citizens expect to pay much more and they're not happy.

Minister, to ensure you are being accountable, as you propose you are, to the taxpayers, I would ask you to provide a detailed explanation of how much your ministry spent on hotels and conference space in this past fiscal

year and make that available to members of the Legislature.

Hon. Harinder S. Takhar: I'm sure the member knows that, first of all, we make every attempt to use government facilities. In general, we only use hotels when the government facilities are not available or when we are doing bargaining and need to use a neutral place. We have actually decreased these expenses over the last several years, and we make every attempt to make sure that taxpayer dollars are used effectively. We use these facilities only when they are absolutely necessary to conduct government business.

AUTISM TREATMENT

Ms. Andrea Horwath: My question is to the Minister of Children and Youth Services. My constituent Maryna Bunda is on day 55 of her protest here at Queen's Park over the McGuinty government's denial of autism therapy to her 6-year-old son, Sebastian, who was diagnosed with severe autism when he was two years old. Sebastian was on a two-year waiting list but eventually received some ABA therapy, and he was making good progress. Now the government is terminating Sebastian's therapy and forcing him into a school setting for which he is completely unprepared.

Will the minister commit to reviewing this callous decision and making sure, in the meanwhile, that Sebastian gets the ABA that he needs?

1120

Hon. Deborah Matthews: I'm sure you understand I cannot speak to this specific case, other than to say I have spoken with the mother who has been outside the Legislature. What I can tell you, though, is that when it comes to autism and services for kids with autism, we are moving ahead with providing better supports for kids with autism in schools. The Minister of Education and I are working very closely together to really support families as they make what is clearly a difficult transition from IBI therapy into the school system. This is the direction that we're committed to going in.

I will refer the supplementary to the Minister of Education, because she and I are very much working on this important initiative.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Across the province, families like Maryna's are languishing and frustrated over the government's autism crisis. The number of children with autism is growing in this province. The waiting period for autism therapy has doubled from two years to four years. When the therapy is denied, children like Sebastian are being denied an opportunity to reach their full potential. Both of these ministers know that very clearly.

Will the minister order an independent review of Sebastian's case to ensure that his ABA therapy in fact continues?

Hon. Deborah Matthews: The Minister of Education.

Hon. Kathleen O. Wynne: I think the member opposite knows that I'm not going to comment on a specific

student's needs. But what I do want to say is to reinforce what the Minister of Children and Youth Services said. It is extremely important for our two ministries to be working together because the reality is that parents want their children to be in school, in a social setting, with the services that they need. That's why we've put \$24 million into training. We've trained more than 13,000 educators in applied behaviour analysis because we know that in the school setting we have to have adults who understand how to meet the needs of kids.

This fall, there are 16 boards out of the 72 that have a program in place called Connections. It's a coordination of services so that students who are in need of service when they come into the school system have people in the school system who are working with folks in the community who have been delivering therapy to—

The Speaker (Hon. Steve Peters): Thank you. New question.

RESEARCH AND INNOVATION

Ms. Sophia Aggelonitis: My question is to the Minister of Research and Innovation. There's no doubt our economy is transitioning toward jobs that emphasize analytical skills and innovative thinking. These are the sort of skills you develop when kids stay in school, when people reach higher through apprenticeships and co-op training right through to post-secondary education. We know that this new knowledge leads to new products, new companies and new jobs. Governments must continue to invest strategically in high-growth industries where Ontario companies can compete and win. Investing today in the jobs of the future is what will create and keep high-paying, highly skilled jobs here in Ontario and accelerate our economic recovery.

Can the minister tell us how the Ministry of Research and Innovation is going to move our province forward and accelerate our economic recovery?

Hon. John Milloy: The member raises a very good point. As we go through this economic turmoil, we have to have an eye on the future and how we're going to be dealing with new technologies, approaches and innovations, and ensuring that they create the jobs of tomorrow.

I'd like to share with members of the Legislature one example from the member's hometown. Through the Ontario investment accelerator fund, we invested \$500,000 in a company called C2C Link in Hamilton. C2C Link has developed the only cost-effective way to create optical crystal chips that can efficiently convert laser light from one colour to another. Two hundred and forty three million TVs are expected to ship worldwide in 2011. C2C's chips will become the driving engine for a new generation of laser-based displays that are expected to dominate the display industry, just one example—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Ms. Sophia Aggelonitis: In my community, researchers at McMaster University and Mohawk College are

leading the way with some exciting new discoveries. For instance, Dr. Duncan O'Dell is using quantum mechanics to revolutionize computing and communication technologies.

Research in Hamilton is also helping to save lives. Dr. Sarah Elizabeth Dickson's research will provide government regulators with better science to guide water protection legislation. This will ultimately protect the public health of Ontarians who rely on groundwater for their drinking supply.

All of this exciting work and more is happening in Hamilton, and while it is great news for my community, it's also great news for Ontario. Harnessing the research at our universities develops businesses and creates jobs.

Minister, can you tell us how your ministry is helping to turn ideas and knowledge into jobs?

Hon. John Milloy: I thank the member for the question, and she's right: There's a lot of outstanding work and research going on in Hamilton that I've had a chance to witness first-hand.

When it comes to the Ministry of Research and Innovation, our goal is to first of all develop the research, develop the talented people and see them transform into companies and then encourage the growth of those companies.

If I can share with members just one other company, Sentinelle Medical, MRI invested \$200,000 in the company through the 2008 Premier's Catalyst Award and another \$1,000 in August of 2009. Sentinelle has developed the world's first MRI coil specifically designed to image women who have had a mastectomy. Starting with four employees, Sentinelle now has 110 employees, and over 100 of North America's leading breast cancer and imaging centres actively use Sentinelle's technology. Good—

The Speaker (Hon. Steve Peters): Thank you. I'd just ask the honourable member from Welland to please take his seat.

New question.

VICTIMS OF CRIME

Mrs. Christine Elliott: My question is for the Attorney General, and again it pertains to the Marshall family situation.

Your apparent insistence that the crown acted correctly when they withdrew the charge of criminal harassment against the young man who was caught masturbating while looking in the neighbour's window is not acceptable—not to the Marshall family and not to the people of Ontario.

You have said "I understand" the Marshall family situation but, with respect, your response indicates that you don't understand. The Marshall family feels abandoned by you, by the ministry and by the justice system. But, Attorney General, you do have a way to truly help this family. Will you relay this charge to ensure that the Marshall family receives the protection of our justice system that all Ontarians deserve?

Hon. Christopher Bentley: I do appreciate the question, and we're all very concerned about the safety and security of any family, and the Marshall family in particular.

I indicated before, and I do repeat, that the crown is very sorry for the fact that they were not contacted before the matter was concluded. He did review it extensively. He did review the elements of the charge that had been laid and what could be proven.

Now, we want to make sure—we all do—that the Marshall family has the protection that they deserve and need, and I know the police will be working with the family and with others to make sure that happens.

As my friend would know and should know, I have no power to relay a charge that has already been dealt with in court.

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Christine Elliott: Why does the Attorney General continue to defend the indefensible? There are options available to this Attorney General, and working with the police is simply not necessary. This is a matter of significant public interest, not to mention the grief and hardship it's causing to this family.

I would respectfully suggest that the Attorney General does have an option to relay the charge in this situation. Again I'm asking you, on behalf of the Marshall family, will you commit to working with this family and relaying this charge so that justice can be done?

Hon. Christopher Bentley: If I heard the phrase "Don't work with the police"—that's just not an option. In fact, the safety and security—

Interjections.

The Speaker (Hon. Steve Peters): I want to be able to hear the answer, and when members are interjecting, it makes it difficult to hear the answer and sometimes for ministers to hear what is being said. Minister?

Hon. Christopher Bentley: We're all concerned about the safety and security of—

Interjection.

The Speaker (Hon. Steve Peters): The member from Cambridge, please come to order.

Hon. Christopher Bentley: —very concerned about the safety and security of the family. The police are very concerned. They are on the ground. I encourage the family to work with the police.

The member is not correct. Once the charge has been disposed of in court, I do not have the power to relay it.

Interjections.

Hon. Christopher Bentley: I do not have the power to relay it. Thank you.

1130

MANUFACTURING AND FORESTRY SECTOR JOBS

Mr. Gilles Bisson: My question is to the Minister of Natural Resources. Yesterday my leader, Andrea Horwath, asked you a question in regard to the situation in Smooth Rock Falls. As you know, they raised \$55 million, ready to go for an investment to get a new plant in

that community. What was lacking was a directive by the ministry in order to give a wood allocation to that project so they can go forward.

You said in the House yesterday, and I quote from Hansard, "Timber allocation was not an issue, from my understanding, as we worked with them, as we moved forward. Smooth Rock Falls, in fact, determined that they themselves would withdraw from the project."

Mayor Kevin Somer is so upset, he has driven down from Smooth Rock Falls. He's in the galleries. He calls that a falsehood. Are you prepared to recant what you said yesterday and give them that allocation?

The Speaker (Hon. Steve Peters): I'd just ask the honourable member to withdraw the comment that he just made.

Mr. Gilles Bisson: Withdrawn.

The Speaker (Hon. Steve Peters): Thank you. Minister?

Hon. Donna H. Cansfield: I'm pleased to be able to respond to the member. As I indicated, in fact we had been working with the Smooth Rock Falls folks, along with the mayor and council members. We met with them. Tembec has had some negotiations with them.

We were very clear: If they would put a proposal in front of us, wood allocation would not be a problem. We have not had that proposal in front of us.

Members from the Ministry of Natural Resources were attending the meeting. The regional director indicated at the same time that if there was a proposal put in front of the ministry, then wood allocation would not be a problem.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Gilles Bisson: The question then becomes, why is it not done? The mayor tells me, Robert Manseau tells me, the CDC tells me, Rick Isaacson tells me, everybody who is involved has been saying they put a proposal before you, they've been asking for wood allocation, they're ready to go. Now, because you have not given the allocation, and made it very clear that you would not do so at that meeting in Sault Ste. Marie, the investors have walked away and taken the money off the table. So who tells the truth, you or the community?

The Speaker (Hon. Steve Peters): I'd just ask the honourable member to withdraw that comment.

Mr. Gilles Bisson: Well, please clarify who—

The Speaker (Hon. Steve Peters): Thank you. Please withdraw.

Mr. Gilles Bisson: I did withdraw. I withdraw again.

Hon. Donna H. Cansfield: If we have a proposal in front of us—I now know that this goes to Minister Gravelle. We'd be more than pleased to work with Smooth Rock Falls if there was a proposal in front of us. The regional manager for the northeast has indicated this, and we're more than pleased to do that.

I realize and understand that there were negotiations that were going on between Smooth Rock Falls and Tembec, and that rests between those two jurisdictions. But when it comes to the issue around a proposal being placed in front of us—now it would go to Minister

Gravelle—we'd be more than pleased to review that proposal and look at those wood allocations.

FOREST FIREFIGHTING

Mr. Jeff Leal: My question is to the Minister of Natural Resources. Climate change is a huge issue facing both Ontarians and the world as a whole. Many people suspect that global warming causes extreme weather conditions.

In Ontario we had one of the wettest summers on record; in British Columbia they had one of the driest. This led to the worst forest fire season ever in that province's history.

I understand that the MNR contributes to efforts to combat those raging fires. Minister, can you state exactly what resources the MNR provided for our friends and neighbours in the great province of British Columbia?

Hon. Donna H. Cansfield: I'm more than pleased to speak to how we were able to be of support to the government in British Columbia.

We're very fortunate to have, without a doubt, the finest fire crews in North America. Working with the BC crews that were fighting along with other jurisdictions from as far away as New Zealand, some thousand personnel from Ontario from our aviation and forest fire management were sent to work with the BC government to help them deal with their very extraordinary year of forest fires. This year, we had very few forest fires due to the very wet conditions, but what we were able to do was to take our expertise and share it.

We have received recommendations and commendations for the work that our folks have been doing in British Columbia. On behalf of everyone in this House, I'd like to say thank you to each and every one of them who took time out of their lives to go and help someone else in need.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Jeff Leal: Minister, thank you very much for that detailed response. We certainly welcome your leadership and the leadership of MNR employees. We have one of their offices in Peterborough and many of them are friends of mine.

I'm proud to hear that Ontario steps up whenever Canadians are in need. Many communities in British Columbia's interior are extremely remote. Sometimes it's called cowboy country; the area is populated by ranches that are separated by thousands of kilometres but still need other provinces to help them when they have extreme problems.

How did the fire crews manage to keep BC residents safe in spite of the challenges that the remoteness of the location posed, and how did your MNR staff respond, in great detail?

Hon. Donna H. Cansfield: Many of the MNR fire crews and support staff were actually deployed to the Lava Canyon. This is a 66,000-hectare fire.

It's an interesting area. There is no cell coverage, so the MNR folks actually drove from home to home to

work with those communities in terms of the fire attention. Several communities were kept on evacuation alert and many of them were informed by regular community meetings.

It's an example of how our firefighters worked with the BC firefighters in a remote region to help them in this very difficult time. Those in the BC forest fire support effort made a tremendous impact. That's part of working together. When we're in need, they come and work with us; when they're in need, we go and work with them. It's a tribute to the firefighters in the Ministry of Natural Resources and the work they're prepared to do to help anyone who is in need.

TOBACCO CONTROL

Mrs. Julia Munro: My question is for the Premier. Contraband cigarettes are killing small businesses and threatening the livelihood of thousands of convenience store owners. These contraband cigarettes, which are being smuggled throughout Canada in record numbers, now represent one out of every three cigarettes purchased.

How does this fit in with your overall plan for economic growth and jobs in Ontario? You say you are concerned, but why won't you take action on illegal tobacco?

Hon. Dalton McGuinty: To the Minister of Community Safety and Correctional Services.

Hon. Rick Bartolucci: It's a very important question. It's a very timely question. Listen, the federal government and the RCMP will tell you that 90% of illegal cigarettes are contraband cigarettes that come from across the border. So, as the member suggested in her question, it is very important that we come together, the different police services, to ensure that we are very aggressive at not only finding that contraband but prosecuting that contraband. That has to be done on an ongoing basis. But I have to tell you: I await the federal government's plan with regard to contraband tobacco.

DEFERRED VOTES

TIME ALLOCATION

The Speaker (Hon. Steve Peters): We have a deferred vote on government notice of motion 138 on allocation of time on Bill 201, An Act to provide for the review of expenses in the public sector.

Call in the members. This will be a five-minute bell.

The division bells rang from 1138 to 1143.

The Speaker (Hon. Steve Peters): All those in favour will please rise one at a time and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia
Albanese, Laura
Balkissoon, Bas
Bartolucci, Rick
Bentley, Christopher
Berardinetti, Lorenzo
Best, Margaret

Duguid, Brad
Duncan, Dwight
Flynn, Kevin Daniel
Fonseca, Peter
Gerretsen, John
Gravelle, Michael
Hoskins, Eric

Mitchell, Carol
Oraziotti, David
Pendergast, Leeanna
Phillips, Gerry
Ramal, Khalil
Ruprecht, Tony
Sandals, Liz

Bradley, James J.
Broten, Laurel C.
Brown, Michael A.
Cansfield, Donna H.
Caplan, David
Colle, Mike
Crozier, Bruce
Delaney, Bob
Dickson, Joe
Dombrowsky, Leona

Hoy, Pat
Jaczek, Helena
Leal, Jeff
Levac, Dave
Matthews, Deborah
McGuinty, Dalton
McMeekin, Ted
McNeely, Phil
Meilleur, Madeleine
Milloy, John

Sergio, Mario
Smitherman, George
Sorbara, Greg
Sousa, Charles
Takhar, Harinder S.
Van Bommel, Maria
Watson, Jim
Wynne, Kathleen O.
Zimmer, David

The Speaker (Hon. Steve Peters): All those opposed?

Nays

Arnott, Ted
Bailey, Robert
Bisson, Gilles
Elliott, Christine
Hampton, Howard
Hardeman, Ernie
Hillier, Randy
Klees, Frank

Kormos, Peter
MacLeod, Lisa
Marchese, Rosario
Martiniuk, Gerry
Miller, Norm
Miller, Paul
Munro, Julia
Murdoch, Bill

O'Toole, John
Ouellette, Jerry J.
Prue, Michael
Runciman, Robert W.
Savoline, Joyce
Shurman, Peter
Yakabuski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 50; the nays are 23.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Motion agreed to.

APOLOGY

Mr. Peter Kormos: On a point of order, Mr. Speaker: It appears I caused some offence to some people when I displayed my friendship with the member for Hamilton Mountain, who comes from the same community I come from, whose parents I know well and whom I've known as a friend for many, many years. I gave her a friendly embrace. I want to say that I cause no offence to anybody. I have embraced Liberals; I've embraced New Democrats; I've embraced Conservatives. In fact, one of the last Conservatives I embraced was Billy Murdoch. So if I caused offence to anybody, I sincerely apologize.

The Speaker (Hon. Steve Peters): There being no further business, this House stands recessed until 3 p.m. this afternoon.

The House recessed from 1148 to 1500.

INTRODUCTION OF VISITORS

Mr. Bob Delaney: I'm pleased to introduce to the Legislative Assembly a student who has been working with us in the office in Mississauga for the past four years. Please welcome Bibi Khan in the members' east gallery.

MEMBERS' STATEMENTS

SKILLS TRAINING

Mr. Robert Bailey: My constituency office has been flooded with calls from people who are on employment insurance and are trying to get retraining through the

Second Career program that is being mismanaged by the Ministry of Training, Colleges and Universities.

In my riding of Sarnia-Lambton, I have one constituent who is a single father. He was told he was to start training on Monday and when he got there he was told his funding hadn't come through and he will have to wait until November. In the meantime, his employment insurance is running out and will force him onto welfare. This is someone who wants to work. He wants to be retrained, but the government cannot get its act together to help him. No one should be forced onto welfare because of this bureaucracy.

This is a complete disaster for this government, which talks a good game about retraining, but when push comes to shove, they let people who they claim they want to help linger in some purgatory, waiting for their application to be processed. This government needs to come clean with the people waiting for their application under the Second Career program to be processed. They need to approve the required training and then sort out the paperwork.

Does the minister realize that these bureaucratic delays are forcing people out of their homes and in some cases onto welfare?

EVENTS IN OAK RIDGES-MARKHAM

Ms. Helena Jaczek: Over the summer I attended several special events hosted by the Arts Society King in my riding of Oak Ridges-Markham. The Arts Society King, under the leadership of president Lynda Rogers, is a non-profit organization which fosters inspiration, understanding and appreciation for the arts, heritage and nature within my constituency.

I was delighted that the Ontario Trillium Foundation granted Arts Society King \$171,600 to strengthen the capacity of the organization. A key initiative is the King arts festival, founded by Judy Craig in 2004. With her co-chair, Cathy Webster, Judy organized the King Soiree, an annual outdoor celebration of the arts, heritage and nature in King township.

Another festival event I attended was the Raspberry Social evening at Laskay Hall, which celebrated its 150th anniversary by featuring live music, fresh raspberry pies and delicious shortcake.

This last weekend I was delighted to attend the Schomberg Village Street Gallery, an outdoor juried art show and sale organized by chair Greg Locke. I accompanied a group on a heritage walking tour, led by Bill Foran, whose family has lived in Schomberg for generations, to learn more about the wonderful community I represent.

Thank you to all the volunteers who make the Arts Society King the amazing, vibrant group that contributes so much to the quality of life in our community.

FOOD BANKS

Mr. Gerry Martiniuk: The Cambridge Self-Help Food Bank will kick off their Thanksgiving food drive at

the Cambridge Chamber of Commerce on October 2, 2009. Our food bank is fortunate to have such a great group of dedicated directors, staff and volunteers, led by Pat Singleton.

Food collected during the drive will help the Cambridge Self-Help Food Bank's 35 community organizations and various meal programs, as well as providing food to approximately 1,600 families each month. Since June 2008, their emergency food hamper program has seen an increase in usage of 62%. Many food banks across the province are experiencing similar or worse increases.

As we enter the Thanksgiving holidays with gratitude, we cannot forget those who are less fortunate. Many people who live in poverty will continue to feel the effects of Ontario's economic turmoil and will need assistance for an extended period of time.

There are hundreds of food banks across Ontario hosting food bank drives over the next few weeks. I would encourage us, as leaders, to do what we can to support our local food banks.

YOUTH EMPLOYMENT

Mr. Reza Moridi: It gives me great pleasure to rise today to acknowledge another important initiative of the McGuinty government to provide more employment opportunities for Ontario's youth. Young entrepreneurs are the leaders of tomorrow. Assisting young newcomers in pursuing their independence by owning their own business is a priority for the McGuinty government. This government recognizes that we must promote and retain the talents and skills of newcomers who arrive in Ontario every day. We also recognize that in this global economy, when our newcomers succeed, Ontario succeeds.

Ontario is investing \$73,000 in the Heritage Skills Development Centre, which will assist 40 newcomer youths in achieving their dreams of business ownership. This program will do more than simply promote entrepreneurship. It also assists in the areas of work readiness, employability, civic engagement and interpersonal skills for youth between the ages of 12 and 29.

The Heritage Skills Development Centre is one of 19 projects funded by the government. Since launching in 2006, it has provided opportunities for the youth group across Ontario, particularly youth who are underserved and outside the mainstream educational system and/or living in rural and remote communities.

These investments underscore the McGuinty government's—

The Speaker (Hon. Steve Peters): Thank you.

GANARASKA FOREST CENTRE

Mr. John O'Toole: I would like to congratulate Ganaraska Conservation on their new Ganaraska Forest Centre. The official opening was held this month, at the gala celebration last week, on September 26. I'd like to say that the Minister of Natural Resources, Donna

Cansfield, was there, and I have the greatest respect for her taking the effort to show respect for that organization.

The Ganaraska Forest Centre has been a unique hands-on outdoor education experience for local students—including my own children—and youth over the last 30 years. The forest centre began with the planting of the first trees for reforestation in 1947. Restoration of over 10,000 acres of forest halted erosion from settlement and land clearing in the 19th century. It resulted in the largest block of continuous forest in southern Ontario.

With the completion of the new eco-friendly building, the forest centre will continue its outstanding record of stewardship and education into the 21st century. The centre has unlimited potential for eco-tourism, corporate retreats, banquets, training and planning sessions.

Congratulations to the CAO, Linda Laliberté, and to the chair, Brian Fallis, who unfortunately was not able to attend, for their leadership of the Ganaraska forest conservation area. Congratulations also to Paul Quantrill, a former professional baseball player, who is the leader and volunteer in the \$4-million Build for Change campaign.

Co-operation amongst individuals, community organization, corporate sponsors and all levels of government has turned this dream into a reality.

DIAGNOSTIC SERVICES

M^{me} France Gélinas: In June the Ombudsman reported that the patchwork of access to PET scans was unfair, and the government was forced to act. They made PET scanning a publicly insured health service in Ontario—everywhere in Ontario except in the northeast, which was glaringly omitted.

At first the Minister of Health said people from the northeast could go to Toronto. Well, thanks to the people who supported me, he quickly bowed to public pressure and came up with excuse number two: that Sudbury Regional Hospital could have one if Sudbury paid for it. Sudbury Regional Hospital has a \$5-million deficit—not a workable solution. I expect excuse number three will be, “Go to your LHIN.”

The truth is that this is an issue of equity of access. Once a service is covered by OHIP, it is the government's responsibility to make sure to provide equitable access to all Ontarians.

The issue has galvanized the people of the northeast. Thousands of people have signed my petition calling for PET scans for the people of the northeast. Six municipalities have written letters to the ministry, and many more will be sending letters. I'm overwhelmed by the support for equity of access for people of the northeast. On Friday I will be at Laurentian University, where students will be signing the petition.

I want the Minister of Health and Long-Term Care to realize that it is his responsibility and nobody else's to ensure that residents of the northeast have equitable access to this technology.

1510

STUDENT LITERACY

Mr. Khalil Ramal: In this competitive global economy, literacy skills are crucial for success. That's why it gives me great pleasure to be part of a government that has committed to ensuring each child reaches their full potential.

The McGuinty government understands that developing early reading skills will aid in future academic success. We also know that readily available and accessible books are key to aiding Ontario students in their quest for economic excellence. The McGuinty government delivered one million books over the summer, ensuring that school libraries across the province have the most updated collections. We expect the schools to have an additional 700,000 more books by the end of this school year.

Last January, the government of Ontario selected 72 Ontario-based vendors and negotiated discounts of up to 50% for school boards. This saved the boards about \$3 million, allowing them to purchase 175,000 more books, ensuring students have the resources they need to succeed.

Class sizes are going down, graduation rates are going up and more kids have the books they want to improve the literacy skills they need. While there is more to do, we are proud of what we have accomplished and will continue to work with school boards to ensure public education in Ontario is the best it can be.

TAXATION

Mr. Bob Delaney: Each summer I visit community and business groups in western Mississauga to discuss the topics that interest them most. This year, tax reform was on everybody's agenda, and people say that the Conservatives are only telling half the story.

I visited every Rotary Club, most of our seniors' groups, some of our religious communities, and others as well. Ontarians know that we need to come out of this economic downturn stronger than we were when we went in. When they hear that their taxes are going down permanently, that their tax credits are going up permanently and that the embedded sales tax in the products that they buy will bring those prices down permanently, they ask why the other parties are not telling the whole story.

Seniors especially like the doubling of their senior homeowners' property tax credit and the introduction of the new Ontario sales tax credit, as well as the permanent cut in their income taxes.

Ontario is better able to attract and grow the kind of companies and jobs that seniors want to employ their children and their grandchildren. That's why Ontario's tax reform will drive our province's prosperity, and that's why Ontario will continue to reject the half-the-story Tories.

PATRICK LORMAND

Mr. Jean-Marc Lalonde: I rise in the House today in honour of Patrick Lormand, a native of the small village of Chute-à-Blondeau in my riding.

Patrick Lormand died tragically while on patrol in Afghanistan on September 13, at the young age of 21. It was with sadness that last Friday I attended Patrick's funeral service with his family and friends from the community.

Patrick was a member of the Second Battalion, Royal 22nd Regiment, with the Canadian Forces.

Le soldat Patrick Lormand était l'aîné de la famille de Sylvie et Jacques Lormand. Outre ses parents, il laisse dans le deuil son frère, André, et son amie de cœur, Danicka.

Patrick was an active young man who loved sports. He grew up on a farm that has been in his family for generations. Patrick attended Hawkesbury District High School and was also a member of the 33 Combat Engineer Regiment, an army reserve unit located in Ottawa.

No words can adequately express the loss of this young man. It is with great sorrow that I request a moment of silence for Patrick Lormand, a young man who will always be in our hearts.

The Speaker (Hon. Steve Peters): I would ask all members and all guests to join us in a moment of silence in recognition of this fine individual.

The House observed a moment's silence.

REPORT, OMBUDSMAN OF ONTARIO

The Speaker (Hon. Steve Peters): I beg to inform the House that today I have laid upon the table a report of the Ombudsman of Ontario respecting the Ministry of Health and Long-Term Care's decision-making concerning the funding of Avastin for colorectal cancer patients.

MOTIONS

COMMITTEE MEMBERSHIP

Hon. Brad Duguid: I seek unanimous consent to move a motion without notice regarding a committee membership change

The Speaker (Hon. Steve Peters): Agreed? Agreed.

Hon. Brad Duguid: I move that the following amendment be made to the membership of certain committees: The member from St. Paul's replaces the member from Kitchener-Conestoga on the Standing Committee on Finance and Economic Affairs.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

Motion agreed to.

The Speaker (Hon. Steve Peters): Motions? Statements by ministries? The Minister of Aboriginal Affairs.

TAKE BACK THE NIGHT

Hon. Brad Duguid: Mr. Speaker, this isn't a statement by ministry, but it's a unanimous consent statement. I believe we have unanimous consent for a member from each party to speak for up to five minutes regarding Take Back the Night.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

Hon. Deborah Matthews: I stand to acknowledge the outstanding efforts taken by communities across Ontario to organize Take Back the Night events throughout our province during the month of September. Ontario joined the rest of Canada and countries around the world in using Take Back the Night marches to shine a light on a dark reality faced by women and girls in Ontario.

Let me share a story about one night in the life of a young Toronto woman who never dreamed it would be her last. She had just been called to the bar and was celebrating her success with two fellow lawyers. Together, they were planning to start a clinic for women who were victims of violence, an admirable goal but one they would never have the opportunity to achieve. This evening of celebration would turn to tragedy for this woman, whom many of you will remember. Her name was Barbra Schlifer. On her way home, she was brutally sexually assaulted and murdered. Unlike most women who know their attacker, she died at the hands of a predator who, in the dark of the night, in the stairwell of her apartment building, killed her. Her family lost a daughter, her friends lost a companion and her community lost a woman who wanted to give back. As her murder made headline news, we all grappled with the reality of a life cut short by sexual violence.

When one woman is raped, the lives of those around her change forever. Her family, her friends and co-workers feel the effect. The dynamics of her community change. Sexual violence affects us all.

Ontario's first Take Back the Night was held in Ottawa in 1978. In 1981, in Toronto, Take Back the Night was held in honour of Barbra Schlifer. It shone a light on sexual violence and the devastating impact it has on the lives of girls, women and our communities.

This month, there were over 14 Take Back the Night events in communities and on university campuses across Ontario. The growth of Ontario's Take Back the Night events is due to the commitment by women in the communities in which they live and work to bring attention to the issue of violence against women.

Each Take Back the Night event symbolically reclaims the night for women and girls—for all women who have been told to avoid walking at night for fear of attacks against them.

I would like to commend the staff of our rape crisis centres and the women who join them in Take Back the Night marches for the courage to make violence against women a very public issue that cannot be ignored.

I invite all Ontarians to continue to raise their voices so that each woman and girl can walk, be it day or night, without the fear of violence. We must join together to

effect change and stop the cycle of violence against women.

1520

Mrs. Christine Elliott: I'm pleased to rise on behalf of the Progressive Conservative caucus to respond to the minister's statement.

Today we acknowledge all of the Ontarians who participated in a Take Back the Night march this past month. September is recognized across Canada for Take Back the Night activities.

Since the late 1970s, women have been marching in Take Back the Night marches. These marches have been organized by groups dedicated to helping women achieve safety and empowerment.

When the march began, it focused on unsafe streets, cities and campuses. This year, the march seeks to highlight the problem of violence against women and sexually-based violence.

All women have the right to live in safety and dignity, free from intimidation and the threat of violence. Unfortunately, violence against women occurs every day in Ontario. In 2006, Ontario police recorded almost 1,000 incidents of spousal violence each month. On average, two women in Ontario each month are killed by their partners. A Statistics Canada survey indicates that 51% of women have experienced physical or sexual violence at least once; 29% of married or previously married women were assaulted by their spouses; 60% of women who've been sexually assaulted have been attacked more than once; and only 14% of victims turned to the police.

We have a long way to go to make women safe in our society. Too many tragedies have increased awareness and the need for action. We must be ready to take the necessary steps if we are truly committed to doing all we can do to stop violence against women. We must do all we can to ensure that women can walk alone at night without fear and ensure that they're not vulnerable at home, at the workplace or at school.

Notwithstanding the government's statement today, they have failed to live up to their professed commitment. On three separate occasions, the official opposition has asked the Attorney General to assist Ms. Patricia Marshall of St. Catharines and her two daughters. Despite a videotaped, properly obtained confession from a young man found masturbating in Ms. Marshall's backyard while looking into her daughters' bedroom window, a senior crown attorney withdrew the charges. The crown attorney failed to notify Ms. Marshall that he had done so, contrary to the crown's policy manual. To date, neither the crown attorney nor the Attorney General has provided a reasonable explanation for the withdrawal of this charge.

In the meantime, Ms. Marshall and her daughters continue to live in fear in their own home. This is unconscionable.

If the minister responsible for women's issues is serious about making women safe in our society, we would suggest that she start by urging the Attorney

General please to take action to protect Ms. Marshall and her daughters, a step which he has refused to do thus far.

The Progressive Conservative caucus will continue to advocate on behalf of Ms. Marshall and her daughters, and on behalf of young women, girls and children across Ontario to ensure that the necessary supports in our social, legal and justice systems are in place for their protection.

M^{me} France Gélinas: It's a pleasure today to be rising in support of Take Back the Night—Reprenons la nuit.

In most communities around this province, a Take Back the Night event has already taken place. I know that in my community, we marched on September 17 and marked the 31st anniversary of the Sudbury Sexual Assault Crisis Centre's Take Back the Night march.

Take Back the Night marches started in the late 1970s. They have been held by colleges, universities, women's centres, YWCAs, rape crisis centres, community centres, high school students' groups, battered women's shelters and other organizations dedicated to helping women achieve safety and empowerment. Events have been held in England, Belgium, Australia, Canada, the Caribbean islands, the United States and many, many other corners of the globe.

Some of these events look like candlelight vigils and allow survivors of sexual assault a place to speak out. Others are thunderous rallies demanding equality and an end to sexual violence. This is what the one in Sudbury looks like, anyway.

All events strive to bring awareness of the problems of sexual violence and to support those who have been victimized. The events bring attention to violence against women as well as the broad issues of sexual violence, including sexual assault, rape, date violence, sexual abuse, domestic violence, stalking, sexual harassment, child abuse, Internet harassment and other unhealthy relationships.

The sad reality is that we still need Take Back the Night events in Ontario. We know that one woman in two in Ontario and in Canada is the victim of sexual assault at least once during the course of her lifetime. This is an absolutely staggering statistic. This is something that we should all be horrified about.

We must also connect the dots between violence and equity. Women need economic equity. Someone who is economically dependent upon her abuser will never be free of that abuser. This means addressing the situation we currently have where women in Ontario make 71 cents on the dollar that men make for work of equal value. We need action. We need a living wage, because the face of poverty in Ontario is a female face. It is mainly women who work for minimum wage. We need minimum wage to be \$10.25 an hour now, and we need this to be indexed.

We need safe transition housing as well as more shelter beds for those who are trying to escape abuse. We still don't have an adequate number of shelter beds and we lack poorly in transition housing, especially in northern Ontario.

This also means addressing equity issues in every environment of Ontario—addressing equity in our schools, our workplaces, and of course in our own homes. Take Back the Night events demand our attention and should inspire us to work every day of the year to end violence against women and the inequities that allow this violence to exist in the first place.

PETITIONS

TAXATION

Mr. Jeff Leal: I am very pleased today: I've received a petition from Merlin Alexander, who lives in Brampton, Ontario.

"Whereas a retail sales transaction in Ontario should not be subject to two separate taxes, at two different rates, under two sets of rules and payable to two different levels of government; and

"Whereas Ontario will implement a comprehensive package of income and business tax cuts in 2010, which will especially benefit working families and retired seniors; and

"Whereas the income taxes of Ontarians will be cut permanently, seniors will receive double their former property tax credit and other permanent savings will flow to Ontarians; and

"Whereas the cost to businesses to produce goods will go down permanently as embedded sales tax is permanently eliminated from the business cycle, enabling those businesses to lower business costs and pass savings along to their customers; and

"Whereas these measures represent the most comprehensive tax reform in a half century, enabling Ontario to be the most competitive place in North America to create jobs, move, grow and operate a business;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario and the members of the Ontario Legislative Assembly swiftly enact Ontario's comprehensive tax reform measures, including the move to a single sales tax in Ontario, as proposed in the province's 2009-10 budget."

I'll affix my signature to it.

TAXATION

Mr. John Yakabuski: I too have a petition to the Legislative Assembly of Ontario. It's somewhat different from that one.

"To the Legislative Assembly of Ontario:

"Whereas residents in Renfrew-Nipissing-Pembroke do not want the McGuinty Liberals' new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline, for

their hydro, cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$400,000; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I support this petition, I affix my signature to it and I send it down to the table.

1530

DIAGNOSTIC SERVICES

M^{me} France Gélinas: I have a petition from the good people of Timiskaming-Cochrane riding and it's regarding a PET scan for northeastern Ontario.

"Whereas the Ontario government is making ... PET scanning a publicly insured health service...; and

"Whereas by October 2009"—that's pretty soon—"insured PET scans will be performed in Ottawa, London, Toronto, Hamilton and Thunder Bay; and

"Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine;

"We petition the Legislative Assembly of Ontario to make PET scans available through the Sudbury Regional Hospital, thereby serving and providing equitable access to the citizens of northeastern Ontario."

I fully support this petition, will affix my name to it and send it to the Clerk with page Jacquelyn.

GOVERNMENT SERVICES

Mr. Joe Dickson: To the Legislative Assembly of Ontario from the residents of Whitby and Durham region, adjacent to Ajax-Pickering.

"Whereas current changes to ServiceOntario will expand and improve access to licensing, registration, health card renewal and other services, it will also close effective and service-oriented local businesses and cost us local jobs, such as the licence office that the Donald family has owned and operated in Whitby and Durham region for over 50 years; and

"Whereas we recognize the quality of service provided by the Donald family to be rated above the 100% efficiency level, including extended hours;

"We, the undersigned,"—and I have, as you can see, quite a number of them—"petition the Legislative Assembly of Ontario as follows:

"That the Donald family be maintained as a licence bureau of the highest quality in the region of Durham."

I affix my signature to that and pass it to Hafiz.

TAXATION

Mr. Gerry Martiniuk: I have a petition provided to me by Mr. Stan Clayton of Pickering, Ontario, and Re/Max Twin City Realty Inc., which reads:

"Whereas the new 13% HST was not part of Dalton McGuinty's election platform in 2007 and is in addition to the new, enormous health tax; and

"Whereas the McGuinty government will pay taxpayers, with their own tax dollars, a one-time so-called tax rebate during 2010; and

"Whereas condominium owners in the province of Ontario will pay at least 6% more in condo fees as a result of the new 13% HST and additional amounts to comply with the reserve fund requirement of section 93 of the Condominium Act;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government cancel its plan to introduce a new 13% tax on Canada Day, 2010, and abandon this tax grab against condominium owners in the province of Ontario."

As I agree with the petition, I affix my name thereto.

HOSPITAL FUNDING

Mr. Bob Delaney: I have a petition to the Ontario Legislative Assembly. I especially want to thank the Islamic Society of North America for collecting this at their mosque; especially Omar and Rita Othman and Mona Hassan, who did a lot of the work. It reads as follows:

"Whereas wait times for access to surgical procedures in the western GTA served by the Mississauga Halton LHIN are growing despite the ongoing capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could" better "be performed in an off-site facility. An ambulatory surgery centre would greatly increase the ability of surgeons to perform more procedures, reduce wait times for patients and free up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2009-10 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I'm pleased to sign and support this petition and to ask page Megan to carry it for me.

TAXATION

Mr. Ernie Hardeman: I have a petition to the Legislative Assembly of Ontario.

"Whereas the residents of Oxford do not want do not want Dalton McGuinty's new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$500,000; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families, farmers and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I affix my signature. Thank you very much for allowing me to present this petition.

HOSPITAL FUNDING

Mr. John O'Toole: It's a pleasure to present a petition on behalf of my constituents from Durham. It reads as follows:

"Whereas the municipality of Clarington passed resolution C-049-09 in support of Lakeridge Health Bowmanville;"—our local hospital—"and

"Whereas area doctors, hospital staff and citizens have raised concerns that Bowmanville's hospital could turn into little more than a site to stabilize and transfer patients for treatment outside the municipality; and

"Whereas Clarington is a growing community of over 80,000; and

"Whereas we support the continuation of the Lake-ridge Bowmanville site through access to on-site services, including emergency room, internal medicine and general surgery;

"Therefore we, the undersigned, request that the Legislative Assembly of Ontario and the McGuinty government take the necessary actions to fund our hospitals equitably and fairly. And furthermore, we request that the clinical services plan of the Central East Local Health Integration Network address the need for the Bowmanville hospital to continue to offer a complete range of services appropriate for the growing community of Clarington."

I'm pleased to sign, endorse and present this to my favourite page, Ava.

TAXATION

Mr. John Yakabuski: I'm pleased to be able to rise again today to deliver a petition signed by many, many people in my riding.

"To the Legislative Assembly of Ontario:

"Whereas residents in Renfrew–Nipissing–Pembroke do not want the McGuinty Liberals' new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline for their cars, heat, hydro, telephone, cable and Internet services for their homes, and will be applied to home sales over \$400,000; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I fully support this petition, I affix my signature to it and I send it down with Carlos.

HOSPITAL FUNDING

Mr. Bas Balkissoon: I have a petition to the Ontario Legislative Assembly that reads:

"Whereas wait times for access to surgical procedures in the western GTA served by the Mississauga Halton LHIN are growing despite the ongoing capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could" better "be performed in an off-site facility. An ambulatory surgery centre would greatly increase the ability of surgeons to perform more procedures, reduce wait times for patients and free up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2009-10 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I want to thank the members of the ISNA mosque in Mississauga, some of whom are my friends, for this petition. I agree with the petition and affix my signature.

1540

TAXATION

Mr. Norman W. Sterling: "Whereas Ontario is in recession; and

"Whereas Ontario has lost 300,000 manufacturing jobs under Dalton McGuinty's watch; and

"Whereas the McGuinty Liberals promised not to raise taxes; and

"Whereas the McGuinty Liberals did not campaign on harmonizing the PST and GST; and

"Whereas the McGuinty government's plan to harmonize the PST and the GST will result in Ontario taxpayers paying 8% more for a multitude of products and services including gasoline, home heating fuel, Internet services, haircuts, gym memberships, legal services, construction and renovations, car repairs, plumbing and electrical services, landscaping services, leisure activities, hotel rooms, veterinary services for the family pet, and even funeral services; and

"Whereas Ontario taxpayers cannot afford this tax grab;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario abandon the harmonized sales tax plan announced in the 2009 budget; and

"That the government of Ontario abide by the Taxpayer Protection Act and consult with the taxpayers and voters through a referendum or by campaigning on a platform of raising taxes before introducing any tax increase."

That is signed by 1,600 residents of Carleton–Mississippi Mills, and I agree with my constituents.

DOCTOR SHORTAGE

Mr. John O'Toole: I'm pleased to read a petition for the riding of Durham, and it reads as follows:

"Whereas the McGuinty government is conducting a review of the province's underserved area program (UAP) that will result in numerous communities across rural and small-town Ontario"—like mine of Durham—"losing financial incentives to recruit and retain much-needed doctors; and

"Whereas financial incentives to attract and keep physicians are essential to providing quality front-line health care services, particularly in smaller communities; and

"Whereas people across Ontario have been forced to pay Dalton McGuinty's now-forgotten health tax since 2004, expecting health care services to be improved rather than cut; and

"Whereas taxpayers deserve good"—fair—"value for their hard-earned money that goes into health care, unlike the wasteful and abusive spending under the McGuinty Liberals' watch" especially "at eHealth Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government not reduce or eliminate financial incentives rural communities and small towns need to attract and retain doctors."

I'm pleased to sign and support this and present it to Helen, one of the new pages.

OPPOSITION DAY

ELECTRONIC HEALTH INFORMATION

Mr. Tim Hudak: I move that, in respect of the Auditor General's forthcoming report on eHealth Ontario, the Legislative Assembly of Ontario authorize the Standing Committee on Public Accounts as follows:

That the Standing Committee on Public Accounts shall meet for the purposes of reviewing the Auditor General's report;

That the subcommittee of the committee shall have the authority to call before the committee any witnesses it deems necessary to conduct a review of the report, including, but not limited to, Premier McGuinty, Minister Smitherman, Minister Caplan, current and former members of the eHealth Ontario board of directors and current and former employees of eHealth Ontario;

That the subcommittee can, through Speaker's warrant, compel the attendance of any person to attend and give evidence;

That the subcommittee can, through Speaker's warrant, require any person to produce into evidence such documents and things as the subcommittee may specify;

That the members of the committee shall be permitted to obtain production and review of any document or thing and disclosure of any viva voce evidence it deems necessary;

That any witness compelled to appear before the committee may attend with counsel and shall be required to give testimony under oath pursuant to section 59 of the Legislative Assembly Act;

That the Standing Committee on Public Accounts has priority over all other committees with respect to its sitting time;

That the committee shall complete its review and file its report on this matter no later than 60 days after the release of the Auditor General's report;

That the committee be authorized to meet at the call of the Chair and notwithstanding prorogation; and

That the committee may, if requested, permit any portion of its proceedings to occur in camera.

The Deputy Speaker (Mr. Bruce Crozier): Mr. Hudak has moved opposition day number 1.

Mr. Tim Hudak: I'm pleased to rise to speak to the motion. I know a number of my colleagues in the PC caucus will be addressing the motion as well today, a very serious, sobering motion. It's with some regret that the PC caucus has been forced to move this motion, but really had no choice, given the absolute absence of leadership by Premier McGuinty in trying to get to the bottom of the eHealth Ontario scandal.

I'm going to briefly discuss how the McGuinty government in its own behaviour has set the tone for a growing culture of entitlement that has produced scandals now at eHealth, two scandals at the Ontario Lottery and Gaming Corp. and elsewhere in government.

I'm going to further examine the McGuinty government's record once the stories of these scandals first

broke publicly, and how the Premier and ministers have clearly placed preserving their own reputations ahead of protecting and restoring the public's faith in government.

Then I'm going to talk about the Auditor General's report. While we are beginning to hear reports now in the media of what that report may say, I am quite frankly more concerned today with what the report will not say and the limits placed on the Auditor General's investigation. That is why we need the Standing Committee on Public Accounts to pick up the trail and to get the job done.

Let me begin with the utter breakdown of accountability that resulted in the eHealth Ontario scandal, scandals at the Ontario Lottery and Gaming Corp. and heaven knows how many other scandals yet to come. And it's not just that the Liberals failed to detect these spending abuses. It's not just that they failed to stop these abuses of taxpayer dollars. It is that they set the tone and encouraged, by their actions, a culture of entitlement where an "anything goes" mentality became commonplace. I need not remind members here today that when the irresponsible use of taxpayers' dollars began, quite frankly, the example was set at the top.

We all remember not too long ago stories of how the Premier chartered airplanes to fly from Toronto to Hamilton and back or from Toronto to Niagara, so he wouldn't have to sit in traffic with the rest of us; how the Premier spent some two million tax dollars on chartered flights and luxury hotels for him and an entourage of some 40 individuals on a recent trip to India; how Premier McGuinty has become known as the Premier who travels with the largest entourage known for Premiers in history of this province. The Premier even went so far as to bill the taxpayer \$837 to ship ice from Toronto to Niagara-on-the-Lake for a ministers' meeting.

Interjection: No ice there?

Mr. Tim Hudak: My colleague from Parry Sound-Muskoka asks if there's no ice there. Coming from Niagara, I can tell you and assure the Premier that our water freezes just as well as anywhere else in the province.

The Premier by these actions set a tone, and now we've seen the agencies simply following through on his example.

It shouldn't be seen as remarkable either for eHealth Ontario, of course, the agency that took untold millions of scarce health dollars and handed them out in untendered contracts to Liberal-friendly consultants, an incestuous "You scratch my back, I'll scratch yours" mentality as Liberal-friendly consultants grow rich and there's absolutely no progress whatsoever in bringing electronic health records into the health care system of the province of Ontario.

1550

This culture of entitlement, as I said, began at the top. Included amid the untold millions of taxpayer dollars frittered away at eHealth was a \$25,000 speech by the CEO, Sarah Kramer herself, where a gaggle of consultants all got their fingers in the pie—\$25,000 for a single speech.

Interjection: I hope it was a good speech.

Mr. Tim Hudak: It must have been one heck of a speech.

But why would anybody be surprised at this? Let's all remember that Sarah Kramer was hand-picked by the Premier himself. In fact, you could say that Sarah Kramer was the Premier's own personal untendered contract, and he set the tone. When the CEO's appointment itself is an untendered contract, it's no wonder that this anything-goes mentality flourished at eHealth Ontario.

That brings me to the second item I wanted to highlight today, the reaction of Dalton McGuinty, his minister and the Ontario Liberal government once the eHealth story broke. Quite frankly, the only reason the story broke at all, the only reason that the rot at eHealth was exposed to the light of day, was due to the diligent efforts of members of the Ontario PC caucus, their staff and members of the media. The McGuinty government was of no help whatsoever.

In fact, we've discovered that getting any information from this government is like pulling teeth. As discussed in question period today, the government is sitting on a freedom-of-information request from the PC caucus that deals with eHealth's potentially untendered contracts with IBM, untendered contracts where a potential massive conflict of interest was taking place. The PC caucus original filed its FOI all the way back at the beginning of June. As the Speaker knows, the legislation says there's a 30-day response period for these FOIs. But after 30 days, guess what? Nothing came. Finally, in early August, well past the deadline, eHealth contacted us, and guess what they told us? They were extending the deadline by another 60 days. And then this week, we received yet another letter telling us that they were delaying the release of this information once again by yet another 30 days.

Today, we finally have an inkling as to why this is the case. This morning's story in the *Toronto Star*, based on what appears to be a partial leak of the auditor's report, reveals some shocking facts about the dealings between eHealth, IBM and the McGuinty cabinet. Not only did eHealth hand out a whopping \$30-million untendered contract to IBM, but the contract was approved at the highest levels of government, by the cabinet ministers who sit on Premier McGuinty's Management Board of Cabinet. It's not just that the untendered contract binge was taking place under the McGuinty cabinet's noses; it's that cabinet ministers were actively taking part.

We also have good reason to believe that the Premier's office has had a hand in blocking this FOI. We already have the statement of claim from the former CEO at the Ontario Lottery and Gaming Corp. which stated that in the aftermath of that particular McGuinty Liberal scandal breaking, at the August 27 meeting with Minister Duncan, the minister stated that the FOI information had been held back for as long as possible, and the Premier's assistant chief of staff was present at that meeting. That's point 11 in that statement of claim.

It fits a wider pattern of behaviour that is a hallmark of a government that is fixated on saving the skins of its cabinet ministers at the expense of public interest.

We had the Premier and the Minister of Health standing in the Legislature and claiming that there would be a thorough third party review of eHealth from Price-waterhouseCoopers. You remember that, Mr. Speaker. Then, during the dog days of summer, when they hoped that nobody was paying attention, we found out that not only had that review never started; it had actually never been contracted from the beginning. Thanks to the efforts of my colleague from Nepean-Carleton, we brought forward a motion at the Standing Committee on Government Agencies to have eHealth reviewed by a committee of members from all three parties. We saw, one by one, a whipped vote of Liberal MPPs that voted down any attempt to provide committee-level scrutiny on this eHealth mess.

Then, just last week, we had two eHealth board members, one a top Liberal fundraiser and the other with very close ties to IBM, who were allowed to quietly resign from the eHealth board in the middle of the night—no announcement, no press release.

I remarked at the time that it's almost like playing roulette when it comes to how the Liberals handle these scandals. If you're unlucky, if you're a bureaucrat, you get publicly fired like the CEO of the lottery and gaming corporation. If you're lucky, you get to slip off into the night like the two Liberal friends on the eHealth board. And if you hit the jackpot, boy, you get to avoid accountability altogether, like Dalton McGuinty's ministers.

This brings me to my third and final point today: the upcoming release of the Auditor General's report. Let me tell you that I'm not the only person here who eagerly awaits its findings, but as you know, there are places that the Auditor General cannot go. While he can follow the money, he cannot compel testimony, for example, from the recently departed eHealth board members, like the top Liberal bagman. He cannot ask, let alone answer, all the questions, frankly, that need to be asked.

In contrast, the Standing Committee on Public Accounts, when properly empowered, does possess the mandate and the resources to probe these matters. That's why today we are calling on the Legislature to empower the public accounts committee to do this job, to empower the committee to call more witnesses, to compel testimony, to demand documents and to use the power of the Speaker's warrants in order to execute its mandate. This will enable members of the opposition on the committee to fulfill their responsibility to hold the government accountable. If government members were actually serious about finding out the truth, they would embrace this opportunity to ask hard questions of their own. Such a process could go a long way to shedding a light on the growing culture of entitlement besetting the McGuinty government.

But let's be clear about one important thing: The ultimate responsibility for enforcing an acceptable standard of accountability throughout government does not rest with the committee. It doesn't rest with the Auditor General. It doesn't rest with the Integrity Commissioner. It doesn't rest with the official opposition. It doesn't rest

with the media. It is the Premier's job. It is the Premier's job to hold his ministers accountable, and as leader, he needs to make it absolutely clear that this kind of mismanagement by his ministers has a very steep price.

Let's not forget what is probably the biggest scandal at eHealth, that apparently almost a billion dollars has been spent on this project with no tangible progress towards developing a system of electronic health records that will actually improve patient care. Liberal-friendly consultants got rich; health care patients got zero in return. And it is unacceptable, absolutely unacceptable, that the Minister of Health has not been held accountable for this gross incompetence.

In the absence of any leadership by the Premier, this very important committee has a job to do. So let's stop the dodging. Let's stop the muddying of the water. Let's stop the straw man, the scapegoating, the shell game tactics we've seen from the Premier. Make the auditor's report the first step but not the last step. Let's do a thorough review that will actually fix the system, deliver the better health care that Ontarians expect and deserve, and get to the bottom of this eHealth Ontario scandal that Dalton McGuinty has allowed to flourish.

1600

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

M^{me} France Gélinas: I'm pleased to rise in the House this afternoon to discuss the PC opposition day motion. There is no question that what the Progressive Conservative caucus is raising today through this motion is a very important question because we recognize that this is an issue that continues to be on the minds of every Ontarian throughout this great province. The reality is that there is still much we do not know when it comes to the scandal that erupted under the McGuinty government's fumbling of the eHealth project.

New Democrats are going to be supporting this motion. We hope that it can be a step in the right direction, a step that brings us closer to full transparency and disclosure and to assuring each and every one of us that this fiasco that occurred within the eHealth agency under Minister Caplan's watch will never happen again.

What will this motion do? This motion certainly focuses on the upcoming Auditor General's report. The Auditor General does value-for-money audits. He does a good job of it, but his mandate is clearly value-for-money. We hear that his report will be released next Wednesday, October 7, although pieces of this report did start to mysteriously trickle out, as it is obvious from the Toronto Star article from today.

New Democrats are anxiously awaiting the release of the Auditor General's full report. We want the full story. That is why, in August, we brought a motion before the Standing Committee on Government Agencies. This motion, unfortunately, was blocked by the Liberal members on the committee. This is a shame. Just think where we would be right now if the committee had already been underway.

New Democrats are hoping that the Liberal backbenchers today will have more conviction; that they will

speak up for their constituents, who want to know; that they will vote in favour of this motion so that Ontarians will finally be provided with answers—answers that they deserve. We are hoping that, once and for all, the details of the eHealth scandal will become clear, and then we can put this issue behind us, learn from it and move forward so that we never go there again.

This motion, if passed, will allow the Standing Committee on Public Accounts to carry out a full investigation into the eHealth spending scandal. It would allow us to bring any and every one involved in front of the committee. Engaging in a process like this is serious business. It would allow us to shed light on any outstanding questions that will remain after the Auditor General's report. It would bring full transparency to the mess that we have on our hands right now.

The reality is that Ontarians are angry. They are furious, actually, that this government has allowed \$16 million in untendered contracts to just fly out the door. They are angry that these people who are supposed to be responsible for health care dollars are happy to just sit back, do nothing and watch the money go.

The Minister of Health has failed to provide adequate answers. He is clearly more concerned with covering his back than with ensuring competency and transparency in the way almost half of our tax dollars are spent. Remember, we are talking about the minister in charge of 43% of tax dollar expenditures in this province. He has fostered a climate of arrogance, insider deals and spending excesses. We see this through his work now at eHealth and before when he was the minister responsible for OLG, which has again reared an ugly head.

New Democrats believe that our health care dollars are precious and need to be treated as such and that Ontarians who pay their taxes and fund the health care system deserve to have answers and explanations when there are mistakes made. Instead, Ontarians and New Democrats have just encountered brick walls when we ask questions. We have witnessed freedom-of-information requests which reek of political interference. We see excuses and weak apologies offered one day, then firing and huge severance packages offered to people the next day. We know that there is much going on behind closed doors, but we still do not know what that may be, nor do we have any reliable assurance that this mess will not happen again, that it was just an isolated incident.

We had witnessed this with the recent upheaval of the Ontario Lottery and Gaming Corp., as the entire board was fired along with the CEO. Now the former CEO is suing this government for \$8 million. We are starting to wonder if the scandal will end here or which agency will make the front page of the paper next week or tomorrow.

It is in this context that New Democrats have considered this motion. We have tried so many other avenues that are open to us, and still the answers are not satisfactory; the answers are not forthcoming. It is a sad day for Ontario when the opposition parties feel that the only way they will receive answers is through a committee process that has to subpoena witnesses. Where

have we ended up? Where we will have to ask our Minister of Health to testify under oath in order to really know the validity of what he tells us? The opportunity to appear before standing committee will hopefully mean that we can finally get all the facts out on the table and all the questions answered. We want to put this behind us. We want to learn from it. We want to make sure we never go down this path again.

Let's take a moment to look back at where this whole scandal started. The first we heard about possible misspending at eHealth kind of came in as a trickle. On May 13, the Toronto Sun printed an article saying that in the last two years eHealth has spent \$67 million on consultants. When asked about it, Minister Caplan used every excuse known. He told us that it was money well spent and that it was just a fraction of what the US has been investing to get an electronic health record up and running. He assured us every diabetic patient in Ontario "will have an electronic health record by 2012. Full records for every Ontarian will be in place by 2015 or earlier." This is what he said then. That was the commitment of his government, and he stood by his word. Today, where do you figure this commitment stands?

In May we did not know that a big chunk of the \$77 million was just handed out, allowed to be used without a proper tendering process. When the news of untendered contracts and unreasonable expenses finally came to light, we started to get a better idea of what we were really dealing with. Let us not forget that when the scandal first broke, Ontario was in the midst of a serious economic downturn. It was in the midst of a crisis where every Ontarian was told to brace for layoffs, brace for more bad news, brace for more closures. While Ontarians were being told the bad news, they were hearing about huge bonuses and severance packages, multi-million-dollar untendered contracts, limousine rides and coffee-and-muffin billing on top of \$3,000-a-day consultant fees—what a disconnect.

1610

We also found out about across-the-board unacceptable expenses such as the speech presented by Sarah Kramer, the former CEO of eHealth, last November. People who are losing their jobs were paying \$25,000 for a speech. This \$25,000 speech was written by one speechwriter and five consultants. The consultants billed from \$200 to about \$393 an hour to revise, edit, discuss and brainstorm with Ms. Kramer for her speech. As the consultants and executives at eHealth had no problem throwing money out the window, our government continued to tell Ontarians to tighten their belts, continued to tell Ontarians to brace for more layoffs, continued to read in the paper that thousands of workers were being laid off in northern Ontario, in the auto industry and in the forestry industry while this was going on. This was as consultants and executives at eHealth continued to throw the money out the window. Preparing themselves for the new McGuinty tax grab of 8%—this is what ordinary Ontarians get to do while the consultants get paid \$3,000 a day.

It was in that climate that Ontarians grew furious. The sad news is that today things are no better. We are still waiting for so many details. Through the summer, additional information trickled in about the extent of the insider deals, and of the complacency of high-level bureaucrats and members of this government.

Different stories kept coming out about whether Premier McGuinty did or did not have a hands-on in the hiring of former eHealth CEO Sarah Kramer. The truth behind the quiet resignations at eHealth's board of directors—one can't help but think that there's a parallel to the Titanic. Remember "Let's get into a lifeboat because there's not enough lifeboats for all of us"? Well, this is what this story looks like: the stepping down of eHealth chair Alan Hudson and the statement released by Sarah Kramer. We just didn't know when it would end. It went on for the entire summer of 2009.

Back in June the Minister of Health had told us that PricewaterhouseCoopers would carry out an audit over the summer months. However, two months down the road this contract was put to rest. Minister Caplan cancelled the contract, providing the explanation that it would overlap with the forthcoming Auditor General's report. New Democrats found out through a freedom-of-information request that the PricewaterhouseCoopers contract had never been signed; work had never begun. But yet in June both the Premier and the Minister of Health assured Ontarians that an independent consulting firm, PricewaterhouseCoopers, would review eHealth expenditures.

I want to quote for this House some of the Hansard quotes which explain the case. I'll start with a quote from Minister Caplan from June 2. He said, "I think that PricewaterhouseCoopers is a well-known and well-respected accounting firm. It's one of the world's recognized firms to do this kind of work. I look forward to the recommendations and insights they might have on ways in which we can strengthen the financial controls and the management practices at eHealth."

Again from Mr. Caplan—quoting from Hansard, June 4—"We have one of Canada's, indeed the world's, foremost auditing management firms looking at the management practices and financial controls under the auspices of an internal government auditor."

It keeps on. Also on June 4: "I know that" the opposition "would support having, under the auspices of an internal government auditor, PricewaterhouseCoopers come in to provide that external third party view of what has taken place; to have a look at the management functions, look at financial controls—again, provide us with the proper advice, guidance and recommendations that can be implemented to protect—"

Even Mr. McGuinty said, "But we need to get the best advice from PricewaterhouseCoopers and the best advice from the auditor, and then, on the basis of those recommendations, see what we might do to ensure that this does not happen again."

But then the rug was pulled out, the light was shone and we realized that there has never been a contract to

hire those people; there has never been any work done by those people. Those were all empty words.

Now we are supposed to ignore this whole fiasco and pretend that those promises were never made. This is an unacceptable manner in which this government is conducting itself, and this behaviour must end.

In spite of all this evasion, there has been information that we have been able to secure, and we know that there is much more coming down. Today, a Toronto Star article told us that the cost of Ontario's attempt to build an electronic health system has soared to more than \$1 billion—\$1 billion of our taxpayers' money. This is a lot of money. But this figure is only one small piece of the whole story. It does not tell us about the waste that has occurred because of years of stalled work. It does not explain the cost to Ontario's patients of inefficiencies in our system—the financial, the human and the emotional cost of not having that work done.

This \$1 billion may have been money well spent if we had a functioning electronic health record system to show for it. The electronic health record system could allow you to walk into your physician's office and he or she would be able to look at your recent visit to the emergency room or could forward your information to a specialist or a hospital if a transfer was needed. Unfortunately, none of this is possible today. We have a \$1-billion investment, and we are no closer to having an electronic health record that allows the entire health care system to communicate information and to do this while securing patient confidentiality and privacy of information. Instead, Ontario's patients remain sorely underserved when it comes to electronic health records. Not only do we have nothing to show for all of that money, we are pouring good money down the drain as our need for these funds grows.

New Democrats have a lot of ideas as to what we could have done with \$1 billion if we had actually delivered services with it. The sad reality is that our health care system is under increasing strain. Hospitals are facing soaring deficits that have forced them to cut costs even when it's the care that suffers. We have witnessed cuts to emergency rooms, maternity wards and physiotherapy services. As emergency rooms close in these small communities, like what happened in Fort Erie on Monday at Douglas Memorial Hospital, it is the hospitals in the larger centres that are increasingly strained under this weight—hospitals like those in Niagara Falls, which are now serving patients in the communities of Port Colborne and Fort Erie because there are no services for them at home.

We also see the desperate need for additional funds for home care, long-term care, community health centres, and the list goes on.

Ontarians are witness to the loss of nursing positions all across the province. The Ontario Nurses' Association estimates that last year about 1,200 nursing positions disappeared. Those are patient needs that go unmet and promises this government has made that are being broken. There is lots of need across this province and

across communities, but this government turns a blind eye and pours the money down the drain—\$1 billion. There are many more examples of what New Democrats would do.

Being conscious of the time, I will wrap up by saying that New Democrats will be supporting this motion. We need to get to the bottom of this story so that everybody knows the facts, so that we can put it behind us, so that we can learn from it and so that we can assure the people of Ontario that we will never go down this path again where millions of dollars get squandered with nothing to show for it.

1620

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mrs. Liz Sandals: I'm not sure "pleased" is the word, but I will participate in the debate this afternoon. I'm actually going to talk about the substance of the motion, because nobody has actually talked about the motion that's before us.

The motion starts by saying that "the Standing Committee on Public Accounts shall meet for the purposes of reviewing the Auditor General's report..." Of course, as those of us who sit in this chamber know, if you were to look at the standing orders of the Legislature, you would find that the mandate of the public accounts committee is already that. As per standing order 108(h), "the Standing Committee on Public Accounts ... is empowered to review and report to the House its observations, opinions and recommendation on the report of the Auditor General and the public accounts, which documents shall be deemed to have been permanently referred to the committee as they become available..."

To put that in plain English, reports of the Auditor General have always been subject to review and debate in the Standing Committee on Public Accounts. But with respect to this particular report, the eHealth report—for those of us who sit on public accounts, and of the six years I've been a member of this House, I think I have sat on this committee for five, so I've got some experience sitting on this committee. The Auditor General works very closely with the Standing Committee on Public Accounts, and he informed us back in the spring, as the debate over eHealth broke, that in fact, he was already planning to do eHealth.

He was already in the process of doing eHealth, and because of the debate that was ongoing, and then the request from the Premier that he look at it more closely, he was thinking that he might be able to release the report early. At that point, the committee unanimously—i.e., members from all three parties—said, "If you get this report done early, we will come back to the House and deal with the report during the summer." We actually unanimously requested the House to give us permission to sit during the summer if the report came in early.

Obviously, it didn't come in early, but that's what the committee has done. So there's no question that the committee is going to deal with the eHealth report immediately when it comes along. We already agreed to that back in the spring. That's not news.

I think it would be helpful if we talked a little bit about what actually happens to the Auditor General's report. We should maybe even start by talking about what happens when the Auditor General goes out to do an audit. This isn't in the auditor's function of certifying the public accounts of the province of Ontario; we saw that happen a week or so ago. This is doing what's called a value-for-money audit in programs in individual ministries, in individual agencies or in individual transfer partners. The Auditor General goes in, has a look at the program and says, "Is this program being properly implemented? Is the money being spent on this program being well spent on behalf of the taxpayers of Ontario?" This, of course, is exactly the question that we—every member of this Legislature—want answered with eHealth: Is the money being well spent, and if it's not, how can we fix that?

What happens with public accounts is that each year, as the auditor presents his reports, or as he does special audits, the committee chooses which chapters of the report we will look at. Each party has equal input in choosing the chapters. Each party gets to choose an equal number of chapters. The NDP gets to choose just as many chapters as the Liberals or the Conservatives. We're all treated equally. Each party selects various chapters. We come in and we say, "Okay, here's the report on this."

The Auditor General briefs the members because, first of all, it's important that the committee members have some background. Then we call witnesses. The people who come to be witnesses are the people who are responsible for implementing the program, the people who are responsible for spending the money.

When you've got a report, the deputy minister comes and brings along the responsible assistant deputy ministers and the director of the particular program that's under review. They'll show up.

When we're dealing with an agency—we've dealt with places like Ontario Hydro, the Ontario Clean Water Agency. The CEOs of those agencies come along with the deputy minister from the relevant ministry. If we're dealing with health, as has often happened if it's something that's now under administration of the LHIN—for example, when we dealt with some hospital issues, we had the deputy ministers, we had the CEOs of the LHINs and we had the CEOs and whoever was relevant from the administration of the individual hospitals. We have a whole cast of people coming before us already who are responsible for how that money is being spent.

After the hearings, we work collectively, collegially, constructively. This is the most effective committee of this Legislature, in my opinion, because the members of all three parties historically work together to provide a constructive report that helps to identify what has gone wrong and what can be done to fix it, and we make further recommendations to the ministry.

The ministry then has to report back to us and tell us what they've done to fix the problems that were identified. If they don't report back to us, we follow up with

them and say, "Where's the report?" In fact, as late as this morning—and I'm sorry; this was an in-camera discussion so perhaps people are going to censure me for spilling the beans—we were having a collegial discussion about how we can more effectively follow up on ministerial report-backs.

This is a very collegial process. In fact, there's an annual national public accounts conference. When we get together, all the public accounts people and all the Auditors General annually from all across Canada, what you actually find is that this is the most effective public accounts process in the country. It's not just me saying that. The Chair of the committee, who is a Conservative member, is frequently called upon to report to other public accounts committees all over the country and to work on committees from all across the country on behalf of Ontario public accounts because we are recognized. So we already have a very effective process.

Let's look a little bit more closely at some of the other things that are in the motion. The motion says that we could ask the Premier and the minister questions. Quite frankly, if the opposition members here can't get their act together to ask the Premier and the minister questions, what do you think they do every day in question period? They can read the Auditor General's report. They can ask them questions. They're right across the aisle every single day in question period. We already have a way for opposition leaders to do that. They can ask questions every single day of the week. So we've got that covered.

They want to be able to ask eHealth people questions. As I already explained, eHealth people will already come to public accounts. That's an ongoing convention. But on top of that, government agencies, another standing committee, has the authority to identify eHealth as an agency they would like to review. The only thing the opposition has to do to have a review of eHealth is to put that on the list for the year, not as they did a week or so ago, where they said, "We want to change our mind at the last minute and, after we already have briefing books and hearings scheduled with another agency, we'd like to cancel them and bring in eHealth," but in the next round, which will happen in a few months, the only thing the opposition has to do is say, "Hey, we want to review eHealth," and it's done. They can bring eHealth into government agencies and spend as long as they like calling witnesses. In government agency reviews, there are public hearings. Anybody who wants to comment can show up to the public hearings. They've already got a venue for that.

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Let's look at what else this motion says. It says that the Standing Committee on Public Accounts has priority over all other committees with respect to its sitting time. Where I'm really supposed to be right now is in the Select Committee on Mental Health and Addictions. We share a sitting room with public accounts on Wednesday. What this motion really says is that you can bump the Select Committee on Mental Health and Addictions out of their sitting room so that committee can't get on with its work.

Then it goes on to say that you would have to complete this work within 60 days. What that really means is that public accounts is being told not to work on all the other issues it's working on, issues like community health, the Ontario Clean Water Agency and Ontario jails—the biggest spender.

So this motion, quite frankly, makes no sense. The only thing it does is politicize an extraordinarily functional, productive process so that the new opposition leader can grandstand. Quite frankly, I'm appalled, and I will not be supporting this motion.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. John O'Toole: I thank you for that indulgence. It's certainly a pleasure to follow our leader, Tim Hudak, who I think made a definitive statement today on this opposition day motion number one. I think it's a debate that needs to have complete attention by everyone here, and I certainly did listen to the member from the government side. She made the accusation—she set a negative tone right off the bat by saying that no one has addressed the issue. Quite honestly, if she had read in detail, we've been fighting—almost every question in question period, Mr. Speaker, and you would know that, sitting in the chair, has been about this very issue, trying to get to the bottom, trying to get to the truth of the matter: "Who knew what when?" The litany of this saga on eHealth and the OLG and who-knows-what-yet from all these agencies, boards and commissions started way back, I think prior to 2008 when we first got a look at it. Right after the election there was smoke, so there must have been fire somewhere.

On August 15, 2008, we filed a request for information. Our leader and members—at that time, I think it was Mr. Runciman—filed for a copy of the Minister of Health and Long-Term Care's eHealth strategy; a copy of the Minister of Health and Long-Term Care's chronic disease prevention and management strategy; and a copy of the Minister of Health and Long-Term Care's 10-year strategic plan for health care, a commitment legislated under the Local Health System Integration Act. We were requesting information, and at that time there was a delay. We suspected that something was happening at that time.

In 2008 again, in September of that year, the Liberals dissolved Smart Systems for Health and renamed it eHealth Ontario. This was done on the same day of the mandatory reporting for C. difficile, which took the attention of the media, so no one really paid attention to this shifting of the sands from Smart Systems for Health to eHealth. At that time, they put in place what we would consider a board that was out of control. It seems to me that right at the beginning the salaries they paid some of these people were \$400,000. We've heard all of the numbers: the \$25,000 speech, the trips to Banff and the conferences. The extraordinary abuse of resources was shocking. I won't try to muddy this thing. There were some quality people; don't get me wrong. There were some quality people involved, but what did they achieve? What did we get?

In fact, I want to continue the tragic sequence of events here. We entered in—is it September again? In 2008 the Minister of Health and Long-Term Care filed regulation—this is important—339-08 to bring into effect the changes that took place on September 26, 2008. The Ministry of Health also issued a press release in which they disclosed that Dr. Alan Hudson was appointed as the chair of eHealth Ontario and Sarah Kramer was appointed president and CEO. This is where it started. There was some kind of relationship between Dr. Hudson, who was highly regarded—at that time he was very well sought after—I think a professional, of course, relationship, between him and Ms. Kramer. So there must have been some influence directly with the Premier to hire somebody for \$400,000. And then the expenses started to come in: charging for a cup of tea, a night-time cup of tea, those kinds of things. It was just sort of evidence of abuse, entitlement.

Now, in January 2009, shortly after Christmas—things were talked about over that period—there was a request for six 2003 Smart Systems for Health program—request status of the program. We simply wanted to know what was the status of the transition from Smart Systems for Health to eHealth. The FOI requests the cost of restructuring of Smart Systems for Health to eHealth: the cost of the new office, new employees, the moving expense and all of the evidence making this high-profile, very expensive, very luxurious. The people of Ontario at that time were starting to feel the first impacts of a very severe recession.

The FOIs were issued to obtain documents for the cost of shutting down Smart Systems from 2003. Then again, still in January 2009—so this thing's been going on and on and on—we had a request for the costs of consulting, accommodation and food from 2007-08, in fact for the whole lifetime of the eHealth discussion. Then, on January 28, 2009, an FOI request was filed to obtain the cost of travel, accommodation, entertainment and food.

You know, all of those requests, it was reported in the media, were being blocked at the very highest level, because there was a sense that this thing was out of control. I believe honestly that cabinet knew and I believe honestly that they were in crisis control. We have since—the media, I think, coined it—referred to this as the summer of the scandal. When you have one person running wild with taxpayers' money—lo and behold, we found another one: OLG, the Ontario Lottery and Gaming commission.

We had at that time the assurance from the Premier himself in a conference, when questioned, to put the fire out, that he had committed, and that he had been in conversations with a consulting firm that would take on this task of bringing some closure to it. Later we found out, again probably through inquiries from our leader at the time, Bob Runciman—and now Tim Hudak leading that parade—that in fact there had been no conversation and contact. This is a public document. I'm not fabricating this as I speak.

It's troubling because we've asked questions but we have had absolutely zero answers—we just dealt with a

notice to close debate on sending these expenses for all agencies and commissions to the Integrity Commissioner. So there's no ministerial accountability. The minister has never been asked to even apologize for wasting hundreds of millions of dollars. He's been asked to resign several times by both opposition parties, I believe. Nothing has happened. He still sits there smiling, chirping all the time about—a total disregard for the \$1 billion.

This morning—this thing has so many legs to it, it's almost like a spider—in the Toronto Star of all papers—

Mr. John Yakabuski: A centipede.

Mr. John O'Toole: A centipede, exactly. "EHealth"—this is the Star's headline; for the viewer here, you could call my office and I'd send it to you, because it's scandalous. "EHealth Operation Bled \$1B." Think of that. That \$1 billion, how many nurses would that have hired? How many persons in long-term care would have gotten the care they needed? How many families of autistic children would have been helped? This is a complete, flagrant abuse of taxpayers' money—a billion dollars.

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This isn't me; this is from the auditor. I'm quoting from the article, just to be careful here, because this thing will end up in the courts. Somebody has to pay, and the buck stops with the Premier. You can talk about ministers and ministerial accountability and responsibility. This is the Premier's job. I'm just shocked.

Mr. McCarter, the Auditor General for the province of Ontario, says, "It ain't pretty. This is not a happy tale." That says it all right here. That report will be filed next week. We had a question today, and the Premier indicated that he would share it with our leader, Mr. Hudak, and perhaps the other leader, Ms. Horwath, as well.

The issue here is that once that's out, this is not over. There have to be consequences for this type of inappropriate use of taxpayers' public money in a climate where they're planning subtly to jab the taxpayers of Ontario for another \$3 billion to \$4 billion through the harmonized sales tax.

This government has increased spending by 66%. We are short of doctors, hospitals are threatened, children's aid societies—everyone in this province is fed up with the lack of accountability—

Interjection.

The Deputy Speaker (Mr. Bruce Crozier): Order.

Mr. John O'Toole: —and discipline, starting with the Premier of the province of Ontario.

I say that this motion by the opposition today needs the support of those members here who are standing up for their constituents in the province of Ontario. If I had more time, I'd make more points, but I have to relinquish the floor to some of my partners here.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. John Yakabuski: Well, that certainly took me by surprise. I would have expected that members from the government side would want to speak to this motion as well. But you know, quite frankly, they're embarrassed.

They're embarrassed by the inaction of this government when it comes to accountability. They've seen the headlines. They've heard the stories. They've seen all the reports. They've listened to the questions. Their heads have been down.

The Premier and his ministers continue to try to block FOI requests and to avoid answering questions. I know the member from Guelph said that if we want answers, we have question period. Well, that is a joke. That's a farce. We don't get answers in question period, and the people of this province deserve answers. That is why our leader, Tim Hudak, brought forward this motion. I want to speak to the motion.

The current circumstances do not allow the Auditor General to compel people to testify. I know the member from Willowdale was challenging that. He's a lawyer; he should understand these things. He should know how this place works. The Auditor General cannot compel people to come and testify. The committee in its current form, without this motion being approved and passed by the Legislature, can't compel them either, and it cannot compel people who are no longer employees of eHealth or no longer members of the board.

If we're going to unravel this gigantic ball of intertwined snakes that is eHealth and the scandal that this government is embroiled in and trying its best to wriggle its way out of, if we're going to get to the bottom of this and clear up this slithering mess, the Legislature is going to have to be given the power and the weapons to attack it. Currently we don't have that. That's why we've asked this body today—and I'm appealing to every self-respecting member of the government side. There can be no greater priority for every one of us who is elected to represent constituents and stand in this assembly than to get to the truth so that the people of Ontario will have the information they so justly deserve.

You know I'm correct in this and you know that our leader, Tim Hudak, is correct in tabling this motion. The best way to get to that is to allow the public accounts committee to investigate this whole mess. There are so many unexplainable or hard-to-fathom twists and turns that are involved here. It's like a mystery. Why do we have, for example, Geoff Smith and Khalil Barsoum, by cover of darkness, with no press release whatsoever, resigning from the board of eHealth? Well, under the current circumstances Geoff Smith and Khalil Barsoum could not be asked questions before the committee with regard to their role and their knowledge and their ties to the Liberal Party, and their ties to IBM, which as we heard just recently in information leaked by the Toronto Star, received a \$30-million untendered contract.

This scandal is enveloping everyone, and the only way we can get to the truth is to have the public accounts committee fully investigate what has gone on. This motion is very well researched and thought out, allowing "That any witness compelled to appear before the committee may attend with counsel and shall be required to give testimony under oath pursuant to section 59 of the Legislative Assembly Act." We will have the strength

and the tools to get to the truth. Without this, we will not have it, and the only people who will be able to deny us this resolution today, this motion, are the people on the government side of the House. We already know that the third party is supporting it. We've tabled the motion. If they deny it, then they are denying justice and truth to the people of the province of Ontario, and that would be a travesty.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Howard Hampton: I'm pleased to participate in this debate today. I want to underline for people who may be watching and listening how we got here, how we in fact got to what many would term an extraordinary motion, a motion that sets out that a committee is going to have the authority to summon witnesses and will hear testimony under oath. I think many people would say, "Well, this is somewhat extraordinary," and it is. We need this extraordinary remedy because, if you look at the history of this issue, we have a majority government which has used virtually every manipulation, every trick in the book, to avoid public scrutiny.

I want to roll back the clock and give people a picture of what has gone on here. Today's headline in the Toronto Star I think says it all: "EHealth Operation Bled \$1B." I think most people across Ontario—people who are having a hard time, people who've lost their jobs, people who've taken pay cuts to keep their jobs, people who are watching their local hospital emergency ward being shut down, people who are watching health care being cut in their community—would reasonably be quite upset to know that an agency of this government, the McGuinty government, bled \$1 billion and, as the paper says, there's not much to show for it.

This didn't just happen today. In fact, as other members have pointed out, this has been going on—this government has been the government now for six years—over a six-year period. It's a government that had nothing to say. It's a government that was not forthcoming with the information, not open, not transparent to the people of Ontario. In fact, to even get at this, Conservative opposition members and NDP opposition members, had to put in a number of freedom-of-information requests. We all know the freedom-of-information rules around this place. There is a certain period of time that a government agency has to comply with the freedom-of-information requests, but if you check the record there, it has again been one effort after another of delay, obfuscate, avoid, evade, such that many of these freedom-of-information requests still haven't been answered many months after they were submitted.

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But some of them were forced to be answered and that is when things got interesting. On May 13 the Toronto Sun printed an article saying in the past two years eHealth had spent \$67.2 million on consultants. I know people across this province who would say \$67.2 million is an awful lot of money. In my constituency, \$67.2 million would probably provide most of the budgets for

most of the hospitals. That's what it translates to. But what's interesting is when the Minister of Health, the minister who is supposed to be responsible to the public on health matters, was asked about this, his first response was that this was money well spent. That's on the record in this Hansard, in this House, that the \$67.2 million that was referred to was money well spent.

He said that all diabetic patients in Ontario will have an electronic health record by 2012; full records for all Ontarians will be in place by 2015 or earlier. He said that was the commitment of this government. I think people at home need to judge. Here is the headline from the Toronto Star: "EHealth Operation Bled \$1B"—and virtually nothing to show for it. I think people at home are entitled to judge. What was the Minister of Health talking about?

But it doesn't end there. We found out in May that a big chunk of the \$67 million that was handed out was never handed out according to proper tendering purposes. In other words, there was no record of requirements saying, "Here's the task. Here's what we want accomplished. These are the criteria. What do you propose to do and what do you think the appropriate level of pay should be?" There was none of that. This was all done in the side room, untendered contracts.

And we found out, as we delved into it more, that many of the people who were getting the untendered contracts were consulting firms and individuals who have a very cozy relationship with the Liberal Party. We found, for example, that one of the principals here was the co-chairman of the last Liberal election campaign. His company has done very well under these consultancy contracts.

So the information, despite the government's efforts to block the freedom-of-information requests, delay the freedom-of-information requests, obfuscate on the freedom-of-information requests, started to leak out. And what did we get from the minister? Well, it got even more interesting. What we got were responses from the minister saying that opposition members didn't know what they were talking about, that opposition members were trying to make a tempest in a teapot, that there was nothing here for public concern.

The Minister of Health has a huge budget. I think the people of Ontario expect some openness and some transparency from the Minister of Health, but if you check the record, there was none.

If you check the record of what went on here, I think it becomes even less and less appropriate, because one of the things that happened is that the officials in the Ministry of Health—civil servants—had some concerns about what was going on here. They also had some concerns about the person whom the McGuinty government was going to bring in to, so-called, right the ship—get the ship going in the right direction. They had some concerns about a person named Sarah Kramer, but apparently after Sarah Kramer went to the Premier's office, all of those concerns were put aside and the order went out that, "Sarah Kramer will be the person in charge here."

Let's talk about Sarah Kramer. This is a person who charged \$25,000 to have a speech written. I'd like to get a look at this speech because it must be some speech for \$25,000. I have all kinds of people in my constituency who live on less than \$25,000 a year, but this person, who we believe the record will show was basically appointed by the Premier, thinks that blowing \$25,000 on a speech is nothing. But it doesn't end there. When you look at the record, the consultant who was brought on for the speech billed from \$200 to about \$390 an hour to revise, edit and discuss this speech. I'm given to wonder: What is going on here?

We all know that Ms. Kramer was only in the job for about seven months. What was she paid for seven months of work that didn't amount to anything? So far as we know, she was paid about three quarters of a million dollars. I say "so far as we know" because I believe that if we do get the opportunity to call witnesses, examine people under oath and examine records, we may well find that it was well in excess of that.

I go back to the Minister of Health because, as more and more of this information started to leak out, the Minister of Health started to say to the public, to the people of Ontario and this Legislature, "Oh, don't worry. We're going to have PricewaterhouseCoopers carry out an audit as to what happened with eHealth." In fact, I want to quote the number of times that we were told this and that people were told this.

On June 2, the Minister of Health says: "I think that PricewaterhouseCoopers is a well-known and well-respected accounting firm. It's one of the world's recognized firms to do this kind of work. I look forward to the recommendations and insights they might have on ways in which we can strengthen the financial controls and the management practices at eHealth." I think any reasonable person listening to this would come away with the conclusion that PricewaterhouseCoopers has been retained to do some sort of audit or study.

Then there's June 4: "We have one of Canada's, indeed the world's, foremost audit management firms looking at the management practices and financial controls under the auspices of an internal government auditor." I think any reasonable person listening to this would have thought, again, that PricewaterhouseCoopers has been retained to look at this sorry mess.

Again on June 4: "I know that the opposition would support having, under the auspices of an internal government auditor, PricewaterhouseCoopers come in to provide that external third party review of what has taken place, to have a look at the management functions, look at financial controls, and provide us with the proper advice, guidance and recommendations that can be implemented to protect the public." That's the Minister of Health on June 4.

Then he goes on: "That's precisely why I had a conversation with board chair Dr. Hudson and sought assurances, which were not received, and why I've directed eHealth and the board to undertake a third party review. That will be under the auspices of an internal government

auditor, along with the agency's external auditor, PricewaterhouseCoopers."

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Any reasonable person in this province would have thought, listening to those representations, that PricewaterhouseCoopers had been retained to do a review. But you know what we found after these and other representations were being made to the people of Ontario? We found that there was not a review by PricewaterhouseCoopers and there never was going to be a review by PricewaterhouseCoopers. In fact, when PricewaterhouseCoopers was contacted, they said, "We have no such retainer, no such contract, and have been given no such undertaking." I think a reasonable person looking at this would say, "This looks like evasion. This looks like trying to avoid openness and transparency." But it goes on.

You see, we do have a committee called the government agencies committee, and the government agencies committee can call government agencies to review what they're doing. For example, Ontario Power Generation and Hydro One have been called before this committee to explain things like rate increases, to explain the pay of some of their senior executives, to explain their use of consultants, from time to time. Opposition members on the committee put forward a motion to have eHealth come before the committee to be reviewed, on the same terms as Hydro One or Ontario Power Generation or the Ontario Securities Commission. And you know what the government members did? They were so eager to provide openness and transparency, they were so eager to disclose these facts to the public of Ontario, that they voted down the motion. Again, I think any reasonable person who saw this sorry record, who followed the paper trail, would say, "This looks like more evasion. This looks like a government trying to avoid openness and transparency. This looks like a government trying to avoid having the people of Ontario know what is going on."

So that is how we got to where we are today. A motion put forward, yes, by the leader of the Conservative caucus, calling for an extraordinary remedy: that the committee should have the power to summon witnesses, and if you don't reply to the summons, then you're in contempt of the Legislature and there are legal penalties; and the authority to require the production of documents, and if you fail to produce the documents, you're in breach of the law and there will be legal penalties; and the power to order people to testify under oath. Why is that necessary? Because I think we've seen already, members of the government have been saying things that, later, it turns out were simply not factual. When you're in that kind of scenario, that is when you need to summons people under oath, and that is when you need to require people to testify under oath, because it's very clear that anything up till that extraordinary step hasn't worked and hasn't been met with openness and transparency, which the people deserve.

I want to return to where we started off. Members of the McGuinty government seem to think that blowing \$1

billion out the door and not having anything to show for it is not a serious issue. In fact, when questions have been asked about this, you get comments from the government benches, "Why are you worried about this?" Well, I'm worried about it because I know, in my part of the province, how many people have no income or a very limited income, and when they see \$1 billion being blown out the door with nothing to show for it, they deserve answers. They deserve answers on this issue, and that is why this motion is before the Legislature today.

We have been met with obfuscation. We have been met with evasion. We have been met with stories that have been told and that later turn out not to be factual. We have had freedom-of-information requests delayed, denied or only partially answered. There is no other route that the people can go. There is no other avenue than having this brought forward in this way.

The government will say that the Auditor General is going to look at this. But the fact of the matter is, the Auditor General, because of his legislative mandate, has a very narrow window—a very narrow window—through which to look at this. He can look at money that was spent, and he can look at what was produced. But he cannot look at the other questions.

I think that one of the answers people deserve is, why has there been literally, in this case, a six-month exercise of trying to hide, evade and avoid the facts? The Auditor General can't get at that.

Another question that needs to be answered is: How could all these untendered contracts go out the door and the Minister of Health's response is, "I saw nothing, I heard nothing, I know nothing and I'm not smart enough to ask any questions." That's where we're at. That's exactly where we're at.

If I may go back to another sorry situation involving this same minister, it was only a few years ago that we saw people being defrauded of their winnings at the Ontario lottery corporation. There was report after report after report. Much of it was in the media, coming from all quarters of the province. What was this same minister's response then? Despite all the media coverage, his response was, "I saw nothing, I heard nothing, I know nothing and I'm not smart enough to ask any questions."

This cannot be allowed to continue. This, by definition, breaches all the rules of responsible government, yet it seems to be the common order of the day with this government.

The government says it is acting. I think what is really happening is called reacting. After this government gets caught, out comes the damage control strategy; out comes the attempt to say, "This will never happen again." The fact of the matter is, if you follow the sorry record at the Ontario lottery corporation, and now you follow eHealth and some of the other things that have gone on, this is happening over and over and over again.

That is why we need an extraordinary remedy like this, so we can start asking these questions: Why is this such repetitive behaviour by the McGuinty government, and why do consulting firms and companies that are

close to the Liberal Party, that contribute to the Liberal Party, continue to get these kinds of contracts?

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Ms. Leeanna Pendergast: It's my pleasure this afternoon to join the debate on the opposition day motion. I thought I would begin, as usual, by injecting a little clarity into the debate. I won't shout and wave my arms, but I would like to give a little clarity to the situation.

On the motion "that, in respect of the Auditor General's forthcoming report on eHealth Ontario, the Legislative Assembly of Ontario authorize the Standing Committee on Public Accounts as follows:

"That the Standing Committee on Public Accounts shall meet for the purposes of reviewing the Auditor General's report," that already happens. This motion is redundant. I would like to refer to standing order 108(h): "Standing Committee on Public Accounts ... is empowered to review and report to the House its observations, opinions and recommendations on the report of the Auditor General and the Public Accounts, which documents shall be deemed to have been permanently referred to the committee as they become available...."

It's already in the standing orders. This is a redundant motion, and I think that it's important to inject that clarity.

1710

I'd also like to go on to say that it is this government that invited the auditor to report, and we will wait till the auditor is finished the report and we look forward, of course, to receiving that report.

Reports by the Auditor General have always been subject to review and to debate—by whom? By the Standing Committee on Public Accounts. Therefore the motion is unnecessary. It gives the Standing Committee on Public Accounts authority to do exactly what they do. They did have authority to meet during the summer. On June 3 in committee, the member from Oxford, Mr. Hardeman, from the very caucus that Mr. Hudak leads, brought forward a motion which was supported by all members present. I do have the good fortune to have the very words of Mr. Hardeman from that day. Mr. Hardeman said on June 3, "I move that following the Auditor General's completion of his value-for-money audit of eHealth Ontario, the Standing Committee on Public Accounts of the Legislative Assembly of Ontario calls on the Auditor General to release that chapter of his annual report in a special report to the Speaker...." There you have it, the words of a member of Mr. Hudak's own caucus.

Also on June 3, the Legislative Assembly passed with unanimous consent a motion to authorize the committee to sit during the summer. The committee was ready, they were prepared; they were authorized in case the report should be presented earlier.

The standing committee already plans to review eHealth when the Auditor General's report is ready, and as with previous hearings, the committee will hear from witnesses. This commitment is why we have asked the

Auditor General to report on his own review as quickly as possible, and of course we look forward to hearing what the Auditor General has to say.

It's also why we're implementing new procurement rules across the board in the Ontario government, curtailing unnecessary expense claims and additional mechanisms to enhance accountability and transparency. We're committed to delivering better health care closer to home, and electronic health records are a key part of this strategy. Electronic health records will result in improved patient care and in a more efficient health system in Ontario. Our significant investments in electronic health records management will greatly improve the health care system in Ontario. We remain committed to ensuring that the money we spend on eHealth is devoted to initiatives that will strengthen and modernize this province's health care system. I am very proud of our health care record.

I do want to talk about some next steps that we have taken to protect public dollars and to improve transparency. We have eliminated any sole-source contracts. All new Ontario government consulting contracts must follow a competitive hiring process regardless of dollar value. Consultants will no longer be able to bill for hospitality, food expenses or for incidental costs. Management information technology, technical services, research and development, policy development and communications consultants are all covered by these new rules, and all the employees in Ontario's largest agencies, boards and commissions will be required to have their expenses reviewed by Ontario's Integrity Commissioner.

We have taken other steps. The McGuinty Liberals have simplified the rules on expenses. These new rules are shorter. They are clearer. They are posted online for everyone to see.

We will also require that the OPS employees of our largest agencies, boards and commissions receive online mandatory training on expense claims. Starting April 1, 2010, we will be posting expenses online for OPS senior management, cabinet ministers, political staff and senior executives at Ontario's 22 largest agencies. This will hold these employees to the same standard as cabinet ministers and political staff. We will also increase the number of random audits of expenses to ensure rules are being followed.

On September 1, 2009, Premier McGuinty announced that 22 of the province's largest agencies, boards and commissions will be required to have their expense claims reviewed by the Integrity Commissioner. This requirement is similar to the same rigorous oversight provisions that currently apply to the cabinet ministers' political staff under the Cabinet Ministers' and Opposition Leaders' Expenses Review and Accountability Act.

I think it would be remiss if I didn't look at some of the successful outcomes that we have seen already to date from eHealth Ontario. Since 2008, 80,000 Ontarians are in a pilot project for ePrescribing, which, of course, will help save lives. Since 2005, more than four million Ontarians are already participating in an electronic

medical records program which is run in partnership by the province and the Ontario Medical Association. More than one million children have electronic health records. All Ontario hospitals have gone filmless and are now using digital diagnostic scans, which will ultimately allow for scans to be shared right across the province.

We will continue to build on these positive changes that we have put in place. There is a whole lot more to say. There are new rules that apply to an endless number of agencies, boards and commissions, and I look forward to my colleagues who will go ahead and follow up on that.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Robert W. Runciman: I have some brief comments to make and I really want to reference some of the comments made by the Liberal members, the government representatives in the Legislature today, which I think are trying to perpetuate myths with respect to the opportunities available for the public and members of the opposition especially to get answers with respect to what happened at eHealth and the responsibilities of members of the government, especially members of the executive council, with respect to decisions that were taken at eHealth, which I think, in terms of their spending practices, have offended most caring Ontarians.

The member from Willowdale and the member from Guelph talked about the mandate of the public accounts committee, and the previous speaker from Kitchener-Conestoga. They've all suggested—and I'm including the member from Kitchener—that this motion gives the public accounts committee the authority to do what they already have the authority to do. That's clearly not accurate. If that's the way they really feel—we had the member for Willowdale yelling at us across the floor earlier today too that there's no reason for this; they already have the authority to do it. Well, if that's the case, let's see them vote for it. When the bells ring not too long from now, let's stand up and vote for it, if that's really the case. Of course, it isn't the case. The case is that we want to have the authority to call people before the committee. That wouldn't be the case; the ability simply isn't there under the current mandate of the public accounts committee.

1720

If you look at the situations with respect to former employees at eHealth, wouldn't it be helpful to be able to call Sarah Kramer, the former CEO, and talk to her about the meetings she had with Dalton McGuinty, the mandate she was given by the Premier, the discussions that took place with the Minister of Health, Mr. Caplan, with respect to directions given to the eHealth board and to her with respect to the management of expenditures within eHealth? Wouldn't it be helpful to be able to call Dr. Alan Hudson, the former chair—who had a very close relationship with the Premier—with respect to those discussions? Of course, under the current mandate, the public accounts committee has no ability to call those individuals.

What about the two directors who very quietly snuck out the back door two weeks ago off of the board. No public announcement; they simply disappeared off of the website. Well, Speaker, wouldn't it be helpful—one of them was a very prominent Liberal fundraiser, the other had very close connections with IBM, and we know we raised issues today in the Legislature with respect to untendered contracts dealt to IBM. Wouldn't it be helpful if the public accounts committee had the authority to have those people appear before them and testify with respect to how the board operated, what kind of directions they were given from perhaps even the Premier's office? Those kinds of contributions would be helpful to all of us in understanding just what occurred at eHealth, why it occurred, what role government members had with respect to the decisions taken, and especially what role the Premier's office had.

I think this goes right to the top of this government. We're talking about accountability, but it's all smoke and mirrors with respect to the government. We have this accountability act which they're forcing closure on. They're limiting debate on that. We're going to have it two hours at committee and then it's back, and we have a majority government and it's passed; it's forced through despite the objections of the opposition, despite the need of the public to know exactly what happened. That's the way they approach accountability. It's a joke, and it's an insult to every hard-working Ontarian in the province of Ontario.

I want to compliment our leader, Tim Hudak, the new leader of the Progressive Conservative Party of Ontario, for bringing this motion forward for discussion today. This is important. It shines a light on this Liberal caucus. You know, it's actually depressing to see these members stand up here and defend the indefensible and suggest to the public that there's nothing new here, that this is not required. If we really want to shine a light on what happened at eHealth, this is absolutely required, and Liberal members, Liberal backbenchers, should have the intestinal fortitude to stand up and support it.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Gerry Martiniuk: To many, this whole thing is about someone making \$2,700 a day and a free lunch, or maybe millions in untendered contracts, or perhaps \$1 billion wasted by eHealth. To me, it's much more important, though those are very important. Can you imagine how many nurses this government is presently firing around this province? Right now, at my hospital, I know nurses are going to be fired because of a lack of money, they say, and they've wasted it, in fact, on things like eHealth.

But I want to talk about our responsible government and our democracy. What is it? It's "a conception of a system of government that embodies the principle of parliamentary accountability which is the foundation of the Westminster system of parliamentary democracy. Governments (... the executive branch) in Westminster democracies, are responsible to Parliament"—that's us;

this is the Legislature. For six years I've watched Dalton McGuinty and his ministers avoid their responsibility to this House. They pretend to be innocent observers at a train wreck when in fact they were the engineer and the conductors on the train. I don't understand how they get away with it, but they do. It's becoming a laughing matter. That newspapers make fun of the Teflon Premier. The last Teflon man was John Gotti from New York City, and we know what happened to him.

This getting away with responsibility—what a thing to teach our young people. Clarence Darrow was a Chicago lawyer. He was famous for his appearance at the Scopes Monkey Trial. Clarence said, tongue-in-cheek, "My parents ruined the first half of my life, and my children ruined the second half." In other words, never take responsibility for anything, and that is exactly what Premier McGuinty and the members of his cabinet are trying to get away with. They cannot get away with it.

The answer is not to fire a bureaucrat and say, "Ah, we've solved the problem." The problem is malfeasance or incompetence, one or the other, on the part of this Premier and members of his cabinet. They have to stand up and be counted.

This motion, with its power so this would finally be a committee that could get at the truth, a committee that could subpoena witnesses and demand they appear in front of them, and perhaps the ministers and the Premier would be sworn in so they would have to tell the truth, as if it were an ordinary trial—this motion, I believe, will return to our Parliament and our democracy the responsibility of government that the people of this province so much deserve.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. David Zimmer: I'm happy to speak to this matter. This motion is unnecessary, and it's unnecessary because, as we've heard this afternoon, the public accounts committee already has the authority to review the Auditor General's report in this matter.

In fact, on June 3, in the public accounts committee, Mr. Hardeman, a member of the committee, brought forward a motion that was supported by all members of the committee. There are five Liberal members on that committee, two Tories, and one NDP member.

Further, also on June 3, the Legislative Assembly passed, with unanimous consent, a motion to authorize the public accounts committee to meet during the summer, should the Auditor General have finished his report earlier than he has—if it had been available in the summer: "The Standing Committee on Public Accounts may" also "meet up to two days by agreement of the subcommittee members with respect to dates, and may sit additional days by agreement of the House leaders...."

The standing committee already plans to review eHealth when the Auditor General reports. That report is going to be available next week and, as with previous hearings in the past, the committee will hear from witnesses.

In fact, I should point out that since the McGuinty government formed the government in 2003, the Auditor General has tabled 15 reports—15 reports since 2003, when the Liberals formed the government. All of those reports have been examined by the Standing Committee on Public Accounts.

The public accounts committee will deal with the Auditor General's report in the course of its mandate. So it raises the question, then, why is the opposition party bringing this motion? What they're asking for is already going to happen. So why are they bringing this motion? The Auditor General's report isn't coming out until next week. In my view, the opposition motion is completely disingenuous. It's a complete political exercise to have a debate here in this chamber on the merits of the Auditor General's report, but the anomaly is that the report hasn't been produced yet. So let's wait until next week. The auditor's report is going to be out, and then the public accounts committee will take up the report, as is its mandate, as it has already decided to do and as it has done with the previous 15 reports of the Auditor General that have been produced since this government took office.

1730

This government is going to deal with this issue. The Leader of the Opposition's motion is really just an attempt to debate this before the report has even come out. Fairness requires: Let's get the report, let's table it here, let's get it to the public accounts committee and then we'll deal with it there.

The flip side of this motion, if it's successful, is that we're in the position of this Legislature in effect ordering the public accounts committee and ordering the Auditor General what to do, how to execute its mandate. The motion is directing the public accounts committee to do thus and thus and to direct the Auditor General to do thus and thus. But the flip side of that is, supposing the motion was a motion directing the public accounts not to look into something or directing the Auditor General not to do something. That's the dangerous precedent here.

Let's have this play out and let's follow the due process. The public accounts committee has its role. The public accounts committee has already said that it's going to receive this report. The history of the public accounts committee is that on all previous reports of the Auditor General, all 15 reports, they've delved into the report; they've dealt with it. That's the history. That's the reality. The only reason this motion is before this chamber is so that the opposition parties can make political hay of this issue. Let's follow the due process.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mrs. Julia Munro: I'm happy to be able to take the last couple of minutes to join in today's important opposition day motion. I want to go back to points that the member from Willowdale raised in his comments, because over and over again he suggested to us that in fact this is the way that public accounts operates anyway. But if you look at the opposition day motion, it requires,

through a Speaker's warrant, the attendance of "any person to attend and give evidence." I think that's an extremely important part of this motion. It also requires "any person to produce into evidence such documents and things as the subcommittee may specify," and then the members of the committee to go from there.

I recall when I was on public accounts, and so was the member from Willowdale, that we found ourselves in the position—he was asking the questions and he was simply stonewalled by the deputation that had come from the ministry. This would prevent such an effect as he himself experienced only a few short years ago.

We would not be able to debate this today if our party had not put forward the freedom of information. That's why it's so important. It was obviously important enough that the government was trying to hide what it had done in the last few months. That's the reason we're here.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mrs. Carol Mitchell: Before I begin speaking specifically about what the official opposition has brought forward, I think it's important to set the context of where we have come from and where we are today, and the work that this government has done.

This government is all about accountability, this government is all about transparency, and we have done nothing but that since we were elected in 2003.

When we began, when we formed government in 2003, we started with the Fiscal Transparency and Accountability Act. What is that? It's multi-year fiscal plan, mid-year economic outlook, long-term reports, pre-election report. I think about that, and I can remember speaking in this House, and I know other members will from across the way.

Why did we do that? What did the government do prior to the accountability act review? I can tell you: \$5.6 billion. That was what was on the books at that time, when we took over government.

We said, from this side of the House, that no government would ever have to face that again. Difficult decisions were made. We as a government stepped up and we shouldered that. The people of Ontario put their shoulders to the wheel as well. We knew there was work to be done, and we began that way.

But what happened just prior to that? You know what? They don't like to talk about it, from across the way, but it was the Magna budget, when the people of Ontario said, "How could a government actually take a budget out of the House?" What respect did they have? What accountability was available to the people of Ontario?

We knew when we were elected in 2003 that it was a new day, and we were about accountability and transparency. At every step of the way, we have done that.

The pre-election report: I can tell you that in 2007 we knew where we were at. The people of Ontario understood, and they understood the long-term plans that needed to be put in place in order to ensure that the people would have the services they need and want in all communities across Ontario.

I don't have enough time to cover off all of the good work that we have done, so I'm going to highlight a few things that have happened over the time. I will also speak to things that have happened in the past.

We talk about freedom of information and the freedom-of-information requests that have come forward. How have the freedom-of-information requests changed since we formed government, a government that was about accountability, about transparency? We increased the ability for freedom of information: Hydro One, Ontario Power Generation, the municipal hydroelectric commissions, universities and hospitals. We knew that the people of Ontario wanted things to be available to them. They wanted that information. We concurred.

I can tell you I am quite proud of our record on freedom of information. I just want to share with all the people examples of the ministries: economic development, 100% compliance; research and innovation, 100% compliance; small business and consumer service, 100% compliance; transportation, 95% compliance; Attorney General, 91%. I could go on, but I believe that this sets a record. We knew that we needed to expand the transparency. The freedom of information was part of that.

Also, the committees were formed and they became stronger. Quite frankly, I don't want to say anything that would be considered inappropriate, but we know that from that side of the House committee work was not their strong side. We know that; the people know that. But we knew, as a government, that committee work was important. Committee work gives the ability for all parties to bring forward concerns and to work in a manner that brings all sides to the table. And not only that; it also allows for solutions, plans going forward. We as a government believe that's important, and that's part of the transparency and accountability.

1740

I believe other members from the government have spoken quite eloquently to the motion that's being brought forward today, so I want to speak to how we did not wait. No, we knew that steps needed to be taken right away. We were concerned, and so we began the process and eliminated sole-source contracts. We know that that was what the people of Ontario wanted, expected—came forward. Further, consultants will no longer be able to bill for hospitality, food, expenses or incidental costs. And I want to share a little bit of information here too, because we know that some of the contracts by previous governments in the past were difficult. Paul Rhodes, Leslie Noble, Tom Long and Michael Gourley shared \$5.9 million in untendered contracts from Hydro One, for everything from communication advice to training programs. I just use that as one example. That's why the freedom-of-information opening up of Hydro One. I could give you more examples, and I think it's important to give a few more examples to get them on the record. The tourism minister went on a province-wide junket in the summer of 2001. In the 145 days between April 1 and August 21 his staff racked up \$23,633.55 in expenses ranging from meals and hotels to plants, gum, doughnuts and napkins—August 23, 2001.

We know that the people of Ontario want to know—they work hard for their money, and they want to know how those dollars are applied in order to ensure that that process is transparent. They want to know that their hard-earned dollars are going to the services that are expected and needed in their communities. So by the steps that are in place today, we're moving that process forward. We're not waiting for the Auditor General's report. We have a process in place that will deal with that. We're bringing in the steps and moving forward to make sure that we are open and transparent, as we have always been as a government. All employees at Ontario's largest agencies, boards and commissions will be required to have their expenses reviewed by the Ontario Integrity Commissioner. This is a significant shift, and we know that as members we are reviewed by the Integrity Commissioner. We know that it is a very thorough process. And expanding the scope of the Integrity Commissioner gives the ability for the Integrity Commissioner to go in and do a thorough review—further transparency, further accountability.

But no, we felt that it was important to add even more additional steps to that. So we then went in and simplified the rules on expenses. We know that in the past sometimes there was just maybe not an understanding of what the expenses are because—and I just want to share with you that in the past a member bought a new television, and we know how expensive that is for a family. They have to scrimp and save for a very long time. A member went and purchased a larger set. They walked into Future Shop, they used a government credit card, they charged \$575 for the model, and their justification? To watch the parliamentary channel in the ministry offices. We know that if there was a higher level of understanding, then they would have known the proper process that would have been in place, and so that's why we're providing more training for OPS employees. They will receive mandatory training on expense claims, incidental costs, because we understand that sometimes there is a misunderstanding. But when there is a misunderstanding, the Integrity Commissioner would have the opportunity to review that, and, if deemed, then they would have to either pay back that full cost or they would have to pay back a partial cost. So by having the expansion of the Integrity Commissioner, this gives allowance for that, and I really do believe that it is very important for that to be able to do so.

Also, as we know, in all things, another step that is being taken is to increase the random audits. We know that in order for any system to remain strong, random audits give you the ability to go in and do a scan. It's one of the things that we can use as a tool to make sure that the system that is in place is designed and will maintain what we expect as a government, and that is, as a government, to be transparent and accountable to the people of Ontario. We have demonstrated that at each step from when we formed government in 2003, and we continue to reinforce that day after day. That is what the people of Ontario expect of us, and we understand our responsibility.

Starting on April 1, 2010, we will be posting expenses of the OPS senior management, cabinet ministers, political staff and senior executives at Ontario's 22 largest agencies, and that will be online. We know that there is an expectation by the people of Ontario that the information will be available online. It gives them the opportunity, as a lot of the information that they receive today is online. Having the information available in that manner, we believe, is the way to make sure that it is most accessible to the people of Ontario.

I see that I've run out of time. I must say that I, for one, have always supported, as our government has, transparency and accountability. I believe that there is always more work to do, but the steps that we have in place today will ensure that the dollars that the people of Ontario invest with us will go to providing the services that keep Ontario strong and meet the needs of all our communities. The further steps that are in place today will certainly justify that. We know that together we are stronger. Quite frankly, I can only assume, by the record from the other side, that the reason why they're bringing the motion forward today might be suspect—why they're bringing it forward.

Thank you for allowing me to speak on this important motion and setting the record straight.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Hudak has moved opposition day number one. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 10-minute bell.

The division bells rang from 1749 to 1759.

The Deputy Speaker (Mr. Bruce Crozier): All those in favour, please stand one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted
Bailey, Robert
Bisson, Gilles
Dunlop, Garfield

Hillier, Randy
Hudak, Tim
Klees, Frank
Martiniuk, Gerry

Ouellette, Jerry J.
Runciman, Robert W.
Savoline, Joyce
Sterling, Norman W.

Elliott, Christine
Gélinas, France
Hardeman, Ernie

Miller, Norm
Munro, Julia
O'Toole, John

Witmer, Elizabeth
Yakubuski, John

The Deputy Speaker (Mr. Bruce Crozier): All those opposed, please stand one at a time and be recognized by the Clerk.

Nays

Albanese, Laura
Balkissoon, Bas
Berardinetti, Lorenzo
Brown, Michael A.
Cansfield, Donna H.
Caplan, David
Colle, Mike
Delaney, Bob
Dickson, Joe
Dombrowsky, Leona
Duguide, Brad
Flynn, Kevin Daniel
Fonseca, Peter
Gerretsen, John
Hoskins, Eric

Hoy, Pat
Jaczek, Helena
Jeffrey, Linda
Johnson, Rick
Kular, Kuldip
Lalonde, Jean-Marc
Leal, Jeff
Levac, Dave
Mangat, Amrit
Matthews, Deborah
McMeekin, Ted
McNeely, Phil
Meilleur, Madeleine
Milloy, John
Mitchell, Carol

Moridi, Reza
Oraziotti, David
Pendergast, Leeanna
Phillips, Gerry
Qaadri, Shafiq
Ramal, Khalil
Ramsay, David
Rinaldi, Lou
Ruprecht, Tony
Sandals, Liz
Sousa, Charles
Van Bommel, Maria
Wynne, Kathleen O.
Zimmer, David

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 20; the nays are 44.

The Deputy Speaker (Mr. Bruce Crozier): I declare the motion lost.

Motion negated.

Mr. John O'Toole: On a point of order, Mr. Speaker: On Tuesday the 29th, yesterday, the government moved a time allocation motion on Bill 201. In that time allocation motion, amendments were to be filed today at 5 o'clock. Because of a computer glitch, legislative counsel was unable to have the amendments prepared in a timely fashion, so we missed the 5 o'clock deadline. I'm seeking unanimous consent to file the amendments later, before the committee starts tomorrow.

The Deputy Speaker (Mr. Bruce Crozier): Does the House understand the request for unanimous consent, that the amendments be filed later? Agreed? Agreed.

It being past 6 of the clock, this House is adjourned until 9 of the clock on Thursday, October 1.

The House adjourned at 1802.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.

Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Aggelonitis, Sophia (LIB)	Hamilton Mountain	
Albanese, Laura (LIB)	York South–Weston / York-Sud–Weston	
Arnott, Ted (PC)	Wellington–Halton Hills	
Arthurs, Wayne (LIB)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (LIB)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haidimand–Norfolk	
Bartolucci, Hon. / L'hon. Rick (LIB)	Sudbury	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels
Bentley, Hon. / L'hon. Christopher (LIB)	London West / London-Ouest	Attorney General / Procureur général
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
Best, Hon. / L'hon. Margaret R. (LIB)	Scarborough–Guildwood	Minister of Health Promotion / Ministre de la Promotion de la santé
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	
Bradley, Hon. / L'hon. James J. (LIB)	St. Catharines	Minister of Transportation / Ministre des Transports
Broten, Laurel C. (LIB)	Etobicoke–Lakeshore	
Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
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		Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
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Première session, 39^e législature

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Thursday 1 October 2009

Jeudi 1^{er} octobre 2009

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

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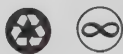
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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 1 October 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 1^{er} octobre 2009

The House met at 0900.

The Speaker (Hon. Steve Peters): Good morning. Please remain standing for the Lord's Prayer, followed by the Jewish prayer.

Prayers.

ORDERS OF THE DAY

PUBLIC SECTOR EXPENSES REVIEW ACT, 2009

LOI DE 2009 SUR L'EXAMEN DES DÉPENSES DANS LE SECTEUR PUBLIC

Resuming the debate adjourned on September 28, 2009, on the motion for second reading of Bill 201, An Act to provide for review of expenses in the public sector / Projet de loi 201, Loi prévoyant l'examen des dépenses dans le secteur public.

The Speaker (Hon. Steve Peters): Pursuant to the order of the House dated September 30, 2009, I am now required to put the question.

On September 17, 2009, Mr. Takhar moved second reading of Bill 201. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

This vote is deferred to following question period today.

Second reading vote deferred.

INTERPROVINCIAL POLICING ACT, 2009

LOI DE 2009 SUR LES SERVICES POLICIERS INTERPROVINCIAUX

Mr. Bartolucci moved second reading of the following bill:

Bill 203, An Act to allow for better cross-border policing co-operation with other Canadian provinces and territories and to make consequential amendments to the Police Services Act / Projet de loi 203, Loi visant à permettre une meilleure coopération avec les autres provinces et les territoires du Canada en ce qui concerne les

services policiers transfrontaliers et à apporter des modifications corrélatives à la Loi sur les services policiers.

The Speaker (Hon. Steve Peters): Further debate?

Hon. Rick Bartolucci: Last week, I introduced Bill 203, the Interprovincial Policing Act, 2009. I'm pleased to have the opportunity to speak to this proposed legislation again on second reading.

Bill 203 is about enabling police officers from provinces and territories outside Ontario to pursue investigations into criminals and their illegal activities within the borders of the province of Ontario. If passed, the Interprovincial Policing Act, 2009, would create a system by which police from other Canadian provinces or territories would be allowed to come into Ontario, be recognized as police officers with full policing powers and be held accountable for their actions. It would be a major step forward towards cross-border policing co-operation with other provinces and territories and a major blow to criminals who apply their trade across our borders.

We know that criminal activity does not recognize borders, so we must provide out-of-province police services with the means to investigate and stop it wherever it happens, to track criminals and their activities, even if it means crossing into Ontario to do so.

We, as a government, must evolve so that we can ensure police have the tools needed to effectively and efficiently do their jobs. Police tell us that they need to cross provincial boundaries to carry on their investigations. Police services in Ontario and other provinces have called for legislation to enable provincially appointed police officers to retain their police officer powers when they travel to another Canadian jurisdiction on police business. Specifically, the Ottawa Police Service has suggested that both Ontario and Quebec implement a model extra-provincial policing statute to allow for seamless policing across provincial borders.

Our police partners, such as the Ontario Association of Chiefs of Police, the Ontario Provincial Police Association and the Police Association of Ontario, support provincial legislation for extra-provincial policing. They note that Ontario police officers are increasingly involved in major investigations that straddle provincial boundaries: bank robberies, guns and gangs, and organized crime, for example. The Interprovincial Policing Act, 2009, proposes to establish a system to allow police officers from other Canadian provinces and territories to be granted police powers in Ontario.

If adopted into law, the bill would give the Minister of Community Safety and Correctional Services the author-

ity to designate officials who would receive and decide on applications from police commanders from other provinces and territories to have their officers designated as extra-provincial police officers with full policing powers in Ontario.

In order to appreciate the effect of this change, I'm going to have to explain very briefly what the current situation is. Currently, Ontario cannot confer legal status or authority on a police officer while he or she is working in another province. For example, Ontario police officers working in Quebec lose the powers and protections afforded to them as police officers in Ontario as soon as they cross provincial boundaries for police business. Currently, when it is necessary for a police officer from another Canadian province or territory to conduct an investigation in Ontario, that police officer must be appointed temporarily as a special constable. That process requires an application through a municipal police services board or to the OPP commissioner, the approval of the Minister of Community Safety and Correctional Services, and then the administration of an oath.

Under present provincial legislation, special constables are given only those policing powers specifically spelled out in their application. They do not have all the powers of an Ontario police officer. They are not subject to oversight by Ontario's special investigations unit, which investigates incidents involving police and civilians that have resulted in a serious injury or death, nor are they subject to a formal process of public complaints. As well, special constable appointments are sometimes delayed by administrative procedures.

0910

So we move forward to this bill. If passed, Bill 203 seeks to rectify these issues. Under the proposed legislation, out-of-province police officers would receive all the powers of an Ontario police officer. Specific police powers would not need to be spelled out. By the same token, the proposed legislation would, if adopted, provide for increased accountability. An out-of-province police officer would be subject to investigation by the SIU and would be required to co-operate with such an investigation.

The new legislation would also allow the public to lodge complaints against out-of-province police officers, and for investigations of those complaints to take place in Ontario. Disciplinary proceedings, if warranted, would remain the responsibility of the out-of-province police officer's home province.

This legislation, if passed, would bring Ontario in line with several other Canadian provinces on the matter of cross-border policing. Where did this all happen? For the next minute or so, I would like to talk a little bit about the Uniform Law Conference of Canada.

In 1998, in response to a Manitoba proposal, the Uniform Law Conference of Canada established a working group to develop model uniform legislation that would address extra-provincial policing issues. That working group had representation from Nova Scotia, Quebec, Justice Canada, the Solicitor General of Canada, Mani-

toba and Saskatchewan. The working group consulted various police groups, such as the Canadian Association of Chiefs of Police, the Canadian Police Association, the Canadian Association of Police Boards and the Canadian Association for Civilian Oversight of Law Enforcement, to ensure that the draft legislation was responsive to police needs.

In 2003, a model statute, entitled the Uniform Act, was presented to the Uniform Law Conference of Canada and was approved by its members. The Uniform Act establishes a mechanism whereby a police service can obtain police officer status for one of its members to carry out duties in another province, and also addresses oversight and indemnification issues. Manitoba, Nova Scotia, Saskatchewan and New Brunswick have since enacted cross-border policing legislation using the Uniform Act as a legislative base.

For Ontario to benefit from cross-border policing legislation, another province must have legislation that extends the same powers to Ontario police officers. And so, it is noteworthy that as of July 2009, there were approximately 400 Quebec police officers appointed as special constables in Ontario. There were, at the same time, more than 400 OPP officers appointed as special constables in Quebec. These numbers demonstrate the reality of cross-border policing today and the need to adopt legislation that gives police the necessary authority to do their work while protecting the public by holding them accountable.

Ontario has been in discussions with Quebec for some time concerning the implementation of cross-border policing legislation in both provinces. We have determined that Ontario's proposals on the cross-border policing issue are generally in line with those of Quebec. These proposals are also based on the model statute developed by the Uniform Law Conference of Canada and adopted by the other provinces I mentioned earlier. Our discussions with Quebec culminated in the signing of a declaration last month that commits our two governments to introducing this type of legislation creating a basis of reciprocal arrangements for cross-border policing for Ontario police officers in Quebec and for Quebec police officers in Ontario.

For about the next two and a half minutes, I'd like to highlight some of the key proposals found within the act. The Interprovincial Policing Act, 2009, would, if adopted, establish a process whereby an Ontario official designated by the Minister of Community Safety and Correctional Services could grant a police officer from another Canadian province or territory permission to enter Ontario to perform police duties.

Under the terms of the proposed legislation, the Minister of Community Safety and Correctional Services would designate one or more persons in Ontario as appointing officials with the power to appoint an extra-provincial police officer as a police officer in Ontario. An extra-provincial, or out-of-province, police service that wishes to obtain police officer status for one or more of its police officers would be required to make a written

application to an appointing official in Ontario. An appointing official may appoint an extra-provincial police officer as a police officer in Ontario for a period of not more than three years, subject to any conditions imposed by that appointment. The appointing official would be required to make a decision within seven days after receiving the request.

Bill 203 would also allow municipal police chiefs and OPP detachment commanders to extend police powers for short periods of time in urgent circumstances. Once approved, the appointment would be effective on the date indicated on the appointment form. Similar legislation in other Canadian provinces and territories would grant the reciprocal authority to Ontario police officers working outside Ontario.

I'd like to conclude very simply: This legislation, if adopted, would support Ontario's commitment to public safety, including the guns-and-gangs strategy, by: one, allowing an extra-provincial police officer to apply for and obtain extra-provincial police status in a timely manner, thereby avoiding unnecessary delays to operations or investigations; and secondly, enhancing the enforcement ability of extra-provincial police officers conducting investigations or operations in Ontario. Finally, as extra-provincial police officers, they will be able to continue their investigations and/or operations when they enter Ontario. This may help to reduce the number of criminals on the streets, while also working to enhance public safety.

It would subject extra-provincial police officers to the oversight of Ontario's SIU and allow public complaints to be lodged and examined. Moreover, it would create a legislative system of reciprocity whereby Ontario police officers could apply for and receive police officer status in other provinces and territories that have similar legislation enabling them to pursue Ontario's criminals outside our borders.

I submit that for all these reasons, the Interprovincial Policing Act, 2009, deserves the support of all members in the House.

The Speaker (Hon. Steve Peters): Questions and comments?

Mr. Khalil Ramal: I was listening to the honourable member, the minister of the crown, speaking about the importance of creating mobility between the provinces and sharing information between the Ontario police system and other provinces for the safety of the people of Ontario.

I think it's a very important step toward trying to get all the information together. I'm the member from London-Fanshawe, and as you know, we sit between two big cities, Toronto and the United States, and many people—criminals—cross the border through the 401, and sometimes they stop in London. Sometimes they cross the border from the United States to Canada, or they come from Quebec or other provinces.

I think it's very important to create some kind of a mechanism to share information and try to create safety for the people of Ontario. Therefore, I hope all the mem-

bers of this House stand up for Ontario and support the initiative being put forward by the minister in order to create a safety mechanism for people who want to live safely in this beautiful province.

Therefore, I am willing to support the bill. Hopefully, the debate will take place, and I know through the process, when people debate the issues, a lot of ideas will develop and give us more sense and direction in order to engage people in this province and create better understanding and a better system for the people of Ontario.

0920

The Speaker (Hon. Steve Peters): Questions and comments?

Mr. John Yakabuski: I appreciate the introduction of the bill on the part of the minister. Our critic, the member for Simcoe North, Garfield Dunlop, is unable to speak to the bill at this time because we didn't have a whole lot of notice as to when it was going to be brought for second reading.

I did hear some interesting stuff from the minister. We're always looking for ways that we can improve the efficiency and effectiveness of policing, here and across the country. We're going to be taking a good look at this bill to see if that is in fact what it accomplishes. I certainly want to give the minister the benefit of the doubt, because the premise behind the bill is certainly one that we can all support; because we all have recognized and have seen instances in the past where the inability of police to pursue across borders or whatever has inhibited them with respect to apprehending criminals.

We are going to be taking a look at the nuances and the minutiae of this bill in order to make proper comment on it, but we do appreciate the fact that the government has at least recognized that there is a situation that needs to be addressed here in Canada. We hope that this bill in fact does that. When we have more opportunity to examine it in its totality, we'll be in a better position to comment further.

The Speaker (Hon. Steve Peters): Questions and comments?

Mrs. Elizabeth Witmer: I guess I would agree with the comments that have just been made by my colleague the member from Renfrew, and that is that we certainly were not aware that the bill was going to be called today. We haven't had an opportunity to thoroughly examine the content of the bill, but obviously our party has always been a strong supporter of increased enforcement and of cross-border policing. We certainly support all efforts that would support better cross-border policing co-operation with other Canadian provinces and territories. So we look forward to having the opportunity. Unfortunately, our critic had another commitment in committee today. As I say, we weren't aware the bill was going to be called. We hope to give this bill the due diligence that it requires, but certainly anything we can do to enhance co-operation, to better provide enforcement in order that the public is protected, we would be very supportive of.

The Speaker (Hon. Steve Peters): Questions and comments? Minister, two minutes to respond.

Hon. Rick Bartolucci: I want to thank the members from London–Fanshawe, Renfrew–Nipissing–Pembroke and Kitchener–Waterloo for their comments.

Just as a point of clarification—and not one that we should be debating—all three parties were aware that this bill was coming forward today. I understand and appreciate that sometimes critics can't be available and so the critics' times have been deferred. I look forward to a very good debate with regard to this. My staff has given both opposition parties a technical briefing, a full briefing, so that both the opposition parties will be well aware of not only the intent but the direction of the bill.

Listen, there isn't anybody in this House who doesn't want public safety to be enhanced as much as it can be. We are all members of good intention. So I look forward to a very good debate. I look forward to the advice and the criticisms—constructive criticisms—by others who will be a part of the dialogue around this bill, because at the end of the day what we want is an effective tool for police services from other jurisdictions in Canada as well as within Ontario, to be able to do their jobs to the fullest; so that at the end of the day, your loved ones, your neighbours, your family, your friends, your fellow citizens of Ontario will know, without a doubt, that Ontario's streets are safer because of this particular piece of legislation. Obviously, I hope that the House will pass this.

The Speaker (Hon. Steve Peters): Further debate?

Hon. Gerry Phillips: I think both opposition parties are in agreement with this: In order to allow them to prepare for the debate, I move adjournment of the debate.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

Second reading debate adjourned.

The Speaker (Hon. Steve Peters): Orders of the day?

Hon. Gerry Phillips: There is no further business until question period.

The Speaker (Hon. Steve Peters): There being no further business, this House stands recessed until 10:30 a.m. this morning.

The House recessed from 0925 to 1030.

INTRODUCTION OF VISITORS

The Speaker (Hon. Steve Peters): I'd like to take this opportunity, on behalf of the member from Durham and page Ava Doner, to welcome her mother, Anita, and a family friend, Lori, sitting in the east gallery. Welcome to Queen's Park today.

On behalf of the member from Mississauga–Erindale, we'd like to take this opportunity to welcome his wife, Balwinder Takhar, to the Legislature today, along with Colonel Tejinder Singh Khangura, brother of Mrs. Takhar, and Adarsh Khangura, sister-in-law of Mr. and Mrs. Takhar. Welcome to Queen's Park, Colonel.

Mr. Phil McNeely: I am very pleased to introduce three visitors sitting in the east gallery. They are all from the National Caucus of Environmental Legislators, NECL: Adam Schafer, the executive director; the Honourable

Dennis Ozment, Minnesota state representative; and the Honourable Jane Krentz, former Minnesota state senator, known for her work on the environment and on conservation.

Hon. John Milloy: I'd like to welcome members of the Ontario Literacy Coalition, who are visiting the Legislature today. In the gallery, we have Lesley Brown, executive director of the Ontario Literacy Coalition; Jody Lundrigan, manager of communications and marketing with the Ontario Literacy Coalition; Michael Shaughnessy, board director and student with the Ontario Literacy Coalition; Deb Hotchkiss, board director of the Ontario Literacy Coalition's Partners in Employment; and Maria Moriarty, board director and vice-president, the Ontario Literacy Coalition from the AlphaPlus Centre. We welcome them all to Queen's Park today.

ORAL QUESTIONS

AGENCY SPENDING

Mrs. Christine Elliott: My question is for the Deputy Premier. Do you have full confidence in the expenses claimed by Steve Mahoney, the chair of the Workplace Safety and Insurance Board?

Hon. George Smitherman: To the Minister of Labour.

Hon. Peter Fonseca: The member raises a point here about one of the chairs of one of our largest agencies. What I can say to the member is that there is an expectation by this government, by this Premier and by the public that all our government agencies are responsible and prudent with all their expenses. That's why I can tell the member that at the WSIB—and with all our Ministry of Labour agencies, boards and commissions—they have received the message. They have received the message that there is a new policy in place. There are new rules. They must adhere to those new rules. I have been given assurances by the chair that all senior staff in the WSIB are aware of these changes.

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Christine Elliott: Well, apparently that message has not been received. Mr. Mahoney is listed as the part-time chair of the WSIB. He may be part-time, but Mr. Mahoney billed over \$140,000 last year. He collected a per diem for more than there are working days in the year while also collecting three pensions, including one for when he was an Ontario Liberal MPP.

Despite all that public money in his pocket, Mr. Mahoney expensed thousands of dollars for limos until they finally gave him a car; meals where he had no meetings; and travel to China, Australia, Hong Kong and elsewhere. He travelled so much he got lost in Myrtle Beach, where he billed four days for one day of meetings and then expensed a GPS system.

Minister, how was Mr. Mahoney held accountable for his overbilling and expenses?

Hon. Peter Fonseca: I say again to the member that the WSIB, as well as all our Ministry of Labour agencies, boards and commissions, understands that the new rule changes must be adhered to. I know they are working very hard to ensure that those changes are in place. What the member speaks to, I can say that it was reviewed, and the WSIB chair did stay within policy at the WSIB when it came to their expense policy. That policy has changed today.

Furthermore, our government has taken more steps, as the Premier has said, to increase accountability, to further protect the taxpayers' dollar. Now all OPS employees, as well as employees at our largest agencies, must—

The Speaker (Hon. Steve Peters): Final supplementary.

Mrs. Christine Elliott: I don't think that message has been clearly received, and perhaps there is a reason for it. Steve Mahoney was once a member of the Ontario Liberal caucus and a federal Liberal cabinet minister in the era when they said they were entitled to their entitlements. While one can see how the expense scandal at the Ontario Lottery and Gaming Corp. occurred in a culture of all that income coming in, the WSIB that Mr. Mahoney helms is teetering on the brink of total financial collapse.

When the Premier attended a hastily arranged press conference to announce he was dumping the accountability-for-expenses scandals on the Integrity Commissioner, he said, "You must lead by example." Minister Fonseca's example is to look the other way. Isn't this just another example of the rot in the McGuinty Liberal government?

Hon. Peter Fonseca: As I've informed the member, there is total recognition by the WSIB and by our government agencies that there are new policies in place. The changes, as I was saying to the member in the supplementary: Again, all OPS employees are mandated now to receive mandatory online expense training, and expenses for OPS senior management, cabinet ministers, political staff and senior executives at Ontario's largest agencies will be posted online—more transparency, more accountability. We're increasing the number of random audits to ensure that the rules are being followed, and we're moving forward on all expenses that will be reviewed by the Integrity Commissioner.

The WSIB recognizes that the environment has changed. I could say with assurance—

The Speaker (Hon. Steve Peters): Thank you.

WORKPLACE SAFETY AND INSURANCE BOARD

Mr. Randy Hillier: I have a further question for the Minister of Labour. It's not like Steve Mahoney has been getting things done at the Workplace Safety and Insurance Board. The Canadian Federation of Independent Business has raised the alarm, alerting the McGuinty Liberals to the "gross mismanagement" of the WSIB. The WSIB's unfunded liability has tripled to over \$11 billion

in four years, even though the McGuinty government said it would eliminate the unfunded liability by 2014. The McGuinty Liberals simply have no credibility when it comes to economic management.

Why did you promise to fix the problem, Minister, and then make things worse?

Hon. Peter Fonseca: The member would be well aware that the WSIB, as well as other large organizations with large capital pools, has been hit by the downturn in the economy. We've had some great years and great prosperity. For 10 or 15 years the WSIB was making great progress with its fund as the economy grew. The downturn in the unfunded liability is completely attributed to the downturn in the markets. We have looked at other compensation boards across the country, and their liabilities and assets have also been hit by the recession.

I've spoken to the chair and to the board of the WSIB, and they've advised me that the current financial position has weakened, and the global—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

1040

Mr. Randy Hillier: Again for the minister: A pattern is developing where the McGuinty Liberals will say anything to avoid fixing the problem. Even before the global recession, the WSIB's plan for a 9% return on investment was irresponsible. Were they planning on banking with Bernie Madoff? Now, with the global recession, we can't know if they've learned their lesson. Why? Because the WSIB hasn't filed an annual report for 2008 and 2009. But what we do know is that the McGuinty Liberals—

Interjections.

The Speaker (Hon. Steve Peters): I just ask the Minister of Finance—I'm having difficulty hearing the question, and he's sitting just to my left.

Mr. Randy Hillier: We do know that the McGuinty Liberals' new plan to stop the bleeding at the WSIB is for premium hikes and making small businesses pay for secretaries and office staff who will never collect benefits. It's a Ponzi scheme, only the people being added to the pyramid go in knowing that they are being cheated. Why did the McGuinty Liberals create a scheme where everyone pays for something that doesn't work?

Hon. Peter Fonseca: The member is completely wrong. When it comes to—

Interjections.

The Speaker (Hon. Steve Peters): I'd just say to the government side: You have your own member who is up speaking—stop the clock, please—your own member who is trying to answer a question and you're shouting him down. It's making it extremely difficult for me to hear the minister speak.

Minister.

Hon. Peter Fonseca: Again, the member is completely wrong. When we look at premium rates at the WSIB, premium rates have not changed in the last number of years. We have held the line on premium rates again this year. We understand that there is a balance between how we set premium rates for employers and the impact to

employers, as well as the good work that those premium rates do to help our injured workers. That's what the WSIB is meant to do: be an insurance for those injured workers, a no-fault insurance that provides the ability for employers to do their business in Ontario.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Randy Hillier: I think the pattern is clear: It's called rot. With eHealth, the Premier has senior ministers deciding who to hand untendered contracts to, and they end up spending billions of dollars while we're no closer to having electronic health records. At OLG, the Premier and his ministers are so preoccupied with PR around these expenses that the McGuinty Liberals have no credible plan to prevent insider wins. With Mahoney, the Premier and his minister are so busy looking after their Liberal friend, they look the other way when he expenses his entitlements, and they have no credible plan to deal with the unfunded liability at the WSIB.

Why doesn't the McGuinty government understand that it's not just the money they're wasting; it's that Premier McGuinty and his ministers just aren't doing their jobs?

Hon. Peter Fonseca: The member maybe doesn't realize that what the WSIB is there for is to ensure that our workers, if they get injured, are cared for. That's what those premium rates go to.

The member and some of the other Conservative Party members bring in the question of expenses and other things that are happening at the WSIB. I know the member had the opportunity to have a lunch or an outing with the chair of the WSIB. My understanding is that there was some alcohol expensed. The member had some alcohol with the chair, and that alcohol was expensed. So I don't know what the member is saying. The member should look at his own actions when he comes to this House and starts—

The Speaker (Hon. Steve Peters): Thank you.

ELECTRONIC HEALTH INFORMATION

Ms. Andrea Horwath: My question is to the Acting Premier. The Acting Premier sits on Management Board of Cabinet. Can he confirm media reports that Management Board authorized an untendered contract worth \$30 million to IBM?

Hon. George Smitherman: As has been the practice for a good, long time in the history of the province of Ontario, through all parties that are represented in this Legislature, mechanisms for single-source contract were possible. We've stopped that.

In the case of the IBM contract that the honourable member refers to, I don't know whether I was at a treasury board meeting. I'm privileged to sit on that committee. What I can tell the—

Interjection.

Hon. George Smitherman: I'm happy to find out, but I don't know the answer. I will tell the honourable member that in the case of the product that was being de-

livered, IBM had created the original system that this was supposed to connect into. Accordingly, I think it was very, very prudent in the circumstances to look for that such opportunity.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: The Minister of Health fired the eHealth CEO for irresponsibly doling out millions in untendered contracts. Now we learn that the Minister of Health pushed through a \$30-million untendered contract himself that the Acting Premier approved. Can the Acting Premier explain this double standard?

Hon. George Smitherman: Firstly, the honourable member misspeaks—I don't think deliberately, but perhaps misunderstands the way the treasury board functions. A number of individuals are representative there.

But I do think what's important to recognize here is that the practice in the government of Ontario, over all parties and over decades, was that there were mechanisms that allowed for single-source contracts. There were. You had them. We've had them. But the one difference is that they're gone. The one difference is that we've stopped those.

In the case of the product that was being contracted, IBM had created the original system. Accordingly, they had specialized technical skills which made them a very, very likely provider for such a service. But nevertheless, this practice, long-standing in the province of Ontario, has ended, and ended on the watch of our government. It didn't end there, and it didn't end there.

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: Perhaps the Acting Premier has more important things on his mind: pay raises to consultants without approval, contracts to people without signing authority, high-priced consultants hiring other high-priced consultants, favouritism, and the people are left without an electronic health system in the province.

They fired Sarah Kramer for this kind of behaviour. Did the McGuinty Liberals set the bar too high for their own ministers?

Hon. George Smitherman: The honourable member is right that our government, in addition to dealing with these matters of administration, which are important, has many other things on our mind.

We have on our mind to make the largest investments in the history of infrastructure. We have on our mind to bring in new policies that will create incredible opportunities for employment in the area of renewable energy. We have in mind to expand policies which will enhance the capacity for our four- and five-year-olds to enjoy all-day learning. We have in mind many obligations on the part of the people of the province of Ontario, and we're working diligently to fulfill those.

We recognize that in the area of these contracts, there is substantial room for improvement. We look forward to the further offerings that will come from the auditor in a report, and we will, as a government, on behalf of the people of the province of Ontario, do our utmost to live

out the recommendations and quality of advice that comes on offer from the auditor.

TAXATION

Ms. Andrea Horwath: My next question is to the Minister of Finance.

Since confusion seems to rule the day when it comes to the McGuinty government's HST, my question is a simple one. Can the Minister of Finance clarify for us what his government is and is not going to exempt from his unfair HST scheme?

Hon. Dwight Duncan: We showed in the budget what we're exempting. That remains the policy of the government of Ontario. We do continue to meet with a range of groups—groups, by the way, that support the HST, that have some issues around transitional rules and so on. But we did specify in the budget those exemptions which we are providing.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Just yesterday, the Premier declared that mutual fund fees might be exempted from his unfair tax grab. He said there were "conversations" happening. My concern is for the thousands of Ontarians worried about the tax whack that they're going to receive on home heating, on hydro, on gas for the car, even on the coffee and Danish. We've received hundreds of letters from people like them in the last day alone. They can't afford a lobbyist or a \$1,000 ticket to a Liberal fundraiser. What do they have to do and who do they have to know to have their concerns about this unfair tax grab heard?

The Speaker (Hon. Steve Peters): Minister?

Hon. Dwight Duncan: The government was very careful to put together a package of tax cuts: tax cuts for senior citizens, tax cuts for low-income Ontarians, tax cuts, sir, that are going to help other Ontarians and the transition to the new HST. Our project was a balanced project. It's designed to make the tax system more competitive.

I should also tell the member that any rules around the HST with respect to transition rules and exemptions have to be agreed to by the federal government. In the case of the mutual fund industry, they've had a long-standing dispute with the federal government around GST collection. Now British Columbia and Ontario are working with the federal government in the context of transition rules in order to facilitate those tax cuts that we're providing for low-income Ontarians. Those tax cuts have been saluted by people—

The Speaker (Hon. Steve Peters): Thank you. Final supplementary.

1050

Ms. Andrea Horwath: The finance minister might not have heard, but I'm talking about the tax grab that they're foisting on the regular people of this province, not the smokescreen of a tax cut that he likes to talk about.

The Premier is supposed to govern for everyone in this province, but it seems the only people who he hears are the people who can buy their way to the front, those who can pay for access. My real concern is for the people across this province who can't afford to buy their own lobbyist. When will this government start listening to them and scrap this unfair tax grab?

Hon. Dwight Duncan: Our government has acted on the HST and a series of tax cuts to make our economy more competitive and to improve job creation potential in order to ensure that Ontario can compete with other jurisdictions around the world.

The leader of the third party only tells part of the story, as is their case. She forgets to talk about the endorsements we had from people such as Hugh Mackenzie, a well-known supporter of her party. I know that he has advised you and your caucus colleagues that you ought to rethink your position because of the progressive nature of the reforms in this system, which will, in fact, benefit people of modest income more than others.

She forgets to talk about the two property tax credits for senior citizens, which she and her party voted against—

The Speaker (Hon. Steve Peters): Thank you.

TAXATION

Mrs. Julia Munro: My question is also for the Minister of Labour. Back in March, the Premier said his jobs budget would create 150,000 new full-time jobs, but Ontario lost 74,000 full-time jobs since he said that. The McGuinty Liberals said the unfunded liability of the WSIB would be retired by 2014, but it's growing each year. It's now \$11 billion. They're just not credible.

Why is hitting the average small construction business with \$11,000 in new taxes a good idea in this economy?

Hon. Peter Fonseca: At the Ministry of Labour and the WSIB, our top priority is the health and safety of Ontario workers. The mandatory coverage for construction workers will level the playing field, will provide more health and safety measures and will allow us to address the underground economic activity that we know happens in that sector.

When it comes to the unfunded liability, as I have said, the WSIB takes this matter very seriously. They have a stewardship role over that insurance fund. That insurance fund is what pays out to all those injured workers—155,000 injured workers here in this province. Those premiums are invested prudently. Because of the downturn, as we know, in the economy, the fund, as well as all funds—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mrs. Julia Munro: Under the McGuinty Liberals, Ontario families are working harder than ever to keep up. Actually, it's worse than that: Minister Fonseca's WSIB legislation forces office workers, from clerical staff to managers, to give up more of their paycheques through higher payroll taxes. The CFIB, the Ontario Chamber of

Commerce and the Ontario Home Builders' Association all oppose the McGuinty Liberals expanding this tax. They say it will kill new business and job creation and hurt the businesses and jobs we have right now. This just piles on top of the massive red-tape burden that penalizes employers and employees even further.

Why is the minister actively trying to undermine job creation within the private sector?

Hon. Peter Fonseca: I don't understand what the member is against. Is the member against health and safety? Today in this province we celebrate 30 years of the Occupational Health and Safety Act protecting workers. This government has a track record where we have seen a reduction in the amount of lost-time injuries in the workplace of 25%. What that means is 50,000 to 60,000 less injuries, less suffering; and it also means that those precious dollars can be spent in our health care system, in our education system, in protecting the environment. These dollars that are paid in premiums—

The Speaker (Hon. Steve Peters): Thank you.

TRADE AGREEMENT

Mr. Howard Hampton: My question is to the Acting Premier. Media reports suggest that a US-Canada trade deal is about to be signed that would effectively forbid provincial and municipal governments from using local tax dollars to create good-paying local jobs. New Democrats see real problems with a trade deal that would tie the hands of provinces and municipalities and prevent them from creating good jobs in transit and good jobs in green energy. Will the minister commit this government to opposing any trade deal that would prevent local governments from using local tax dollars to create good-paying local jobs?

Hon. George Smitherman: I think that many of us took note that an issue that has been on the tip of many people's tongues and under discussion for many months seems to be gaining some resonance in the chambers of power in Washington, DC. At the heart of it is the desire to ensure that Ontario, which is one of the most trade-oriented jurisdictions from the standpoint of our economic activity to be found anywhere, has the opportunity for products to be able to be freely offered in support of projects that might be taking place in other spots. The government is paying close attention, working with other governments across the country to try and ensure that there is openness to markets, and I think that this issue continues to percolate on that basis.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Howard Hampton: The question was very specific; I didn't hear an answer. You can't promote a made-in-Ontario, buy-in-Ontario, green energy strategy, and it's very difficult to promote a made-in-Ontario, jobs-in-Ontario transit strategy, if you support one of these agreements. Domestic content rules are a crucial tool in ensuring that local tax dollars can be used to support the creation of good local jobs. So I ask the question again: Will the McGuinty government commit to opposing any

trade deal that would prevent provincial and municipal governments from using local tax dollars to create good local jobs?

Hon. George Smitherman: First, I think the honourable member fails to address the extent to which many of our businesses, which are operating in local areas and local municipalities, are involved in export. We look to the mayor of Halton Hills, who, as an example, has exposed circumstances where companies in that area have been prevented from exporting even to customers they have had long-standing and historic relationships with. We think it's important to continue to have dialogue on these matters. We have found here in the government of Ontario, in our policies related to green energy, an opportunity to encourage more of a domestic industry and capability to emerge. Accordingly, we will be continuing to take strong interest in this. But at the heart of it, Ontario is a jurisdiction that's intensely reliant upon our capacity to export our innovative products, which are designed and built by some of the best-trained workers anywhere in the world, and we think it is important to remain very vigilant in such discussions.

GO TRANSIT

Mrs. Laura Albanese: My question is to the Minister of Transportation. After Metrolinx submitted their environmental project report for the GO Transit Georgetown South expansion and air-rail link project, the public had one month to review the report and send any comments to Metrolinx and to the Minister of the Environment. I understand the report is now under review, along with observations and objections submitted by the public.

1100

Minister, I would like to ask when we can expect to receive the Minister of the Environment's response to the environmental project report. I'm also hoping that the Minister of Transportation can assure this House that, moving forward, Metrolinx will continue to take into consideration the concerns of the community, especially those relative to any possible street closures associated with the project and any possible health effects on the communities living in the area.

Hon. James J. Bradley: After extensive public consultation, the notice of completion of the environmental project report is now with the Minister of the Environment for review and decision on how to proceed. I understand that the review period ends October 5, which means we should hear back shortly on this matter. We will look forward to the minister's response.

Metrolinx, of course, understands the importance of keeping the community involved every step of the way. That is why they continue to reach out to the public through publications, information on their website and a customer care line where the community can obtain answers to any questions. Public consultation has been, and will continue to be, a key part of this process.

Since January 2009, Metrolinx has hosted an extensive public engagement process, including 18 open houses,

over 20 community meetings and a 24/7 virtual open house accessible throughout the entire—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mrs. Laura Albanese: I would like to address another question to the Minister of Transportation on the same topic. In previous questions to the minister, this House has heard about the public consultations held by Metrolinx throughout this process. It is very important that the community continue to be consulted and informed about the next stages and throughout the decision-making process. The people living along the Georgetown corridor will be the most affected by these decisions.

One of the main concerns brought forth by the people living in York South–Weston relates to the use of diesel energy for the expansion project. I am hoping that the Minister of Transportation can address this concern. Can the minister assure us that, moving forward, the benefits of electrification will be taken into consideration?

Hon. James J. Bradley: The best thing we know, and I think all members of the House would agree, for cleaner air and a healthy environment is to get people out of their single-occupant vehicles and on to public transit.

The GO trains in the Georgetown South corridor are currently operating at capacity. That is why Metrolinx is moving forward with expansion now. Only the newest and latest technologies that meet the most stringent new emission standards will be used for the passenger trains in this corridor.

Taking it one step further, Metrolinx is moving forward with its electrification study, which is expected to be completed in the winter of 2010. Electrification is a critically important issue, and when making what will be a multi-billion-dollar decision, we want to get it right. That's why we're pleased that Metrolinx established a community advisory committee, which includes former Environmental Commissioner Eva Ligeti, Bob Oliver of Pollution Probe, and Dr. Linn Holness—

The Speaker (Hon. Steve Peters): Thank you.

ONTARIO LOTTERY AND GAMING CORP.

Mr. Peter Shurman: My question is for the finance minister. The McGuinty Liberals spent \$430 million and climbing for a Windsor casino expansion project that wasn't supposed to cost more than \$400 million. You spent \$80 million more on building the Windsor Energy Centre, which wasn't supposed to be built at all. Now the public accounts show us that “to fund current operations and the continuing negative cash flow at Caesars,” you have Ontario taxpayers on the hook for at least another \$212 million. Here I thought the house wasn't supposed to lose. What are the profits the Windsor casino has generated since you attended its \$2.3-million opening spectacle in June 2008?

Hon. Dwight Duncan: The construction of a convention facility and a hotel to encourage tourism that benefits

all of Ontario was in fact the appropriate decision to make. It is continuing to yield benefits to the local community and others. The member is right: The public accounts, contrary to what he said last week, do reveal that there are two separate projects and also very clearly reveal, with respect to the casino project itself, the cost of that and then the separate project on the energy centre and what happened there.

We continue to generate, through OLG, about \$1.4 billion a year in proceeds in the province of Ontario, and that continues to be an important funder of money for our government to provide health care, to provide education and a variety of other important public services—

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Peter Shurman: I'd say that's quite a mess you have on your hands: a sinkhole of a casino that's so deep it needs stimulus funds to stay afloat—at least until the McGuinty Liberals and their friends at eHealth and other boards show up for the Ontario Liberal Party annual general meeting at your casino at the end of this month. You still won't explain why the energy centre even exists. Yesterday, you said it was unacceptable that a budget item goes from \$40 million to \$80 million. Minister, do the math. The loss to taxpayers is approaching a half-billion dollars. Aside from Windsor–Tecumseh, is there anywhere else in the province of Ontario where you, Minister, would actually consider building a money-losing casino and a matching energy centre?

Hon. Dwight Duncan: I remind the member that in fact that casino was authorized by the NDP and built by the Conservatives. Now, we did add a convention facility, we did add a hotel, and I'm glad to hear the Conservatives finally acknowledge that they would close it down and put 2,000 people out of work. I think that's irresponsible. I think it betrays the city with the highest unemployment rate in the country, and what do the Conservatives say?

Are you proposing that for Niagara Falls as well? Are you proposing that for Rama? I think you should be ashamed of yourself. I think the member ought to recognize that this important business, like the casino business around the world, has experienced tough times but it will come back. In fact, the investment of that—

The Speaker (Hon. Steve Peters): Thank you.

SKILLS TRAINING

Mr. Rosario Marchese: My question is to the Minister of Training. All over the province, qualified applicants for the Second Career program are being denied by your ministry. Conestoga College President John Tibbits said that 30 to 60 students were accepted into courses at the college, only to be unexpectedly denied funding under the retraining program. In addition to devastating students, he said the college is affected because it hired teachers and bought equipment needed to train them. Mr. Tibbits says that government officials have to do something about this. They can't just leave it the way it is. Minister, are you going to just leave it the way it is?

Hon. John Milloy: I had a chance to speak about this earlier in the week, and I'd like to place the program in some context. Fifteen months ago, we announced the Second Career program, a program to help 20,000 laid-off workers over the course of three years. After 15 months, I'm pleased to inform the House that we have surpassed the 20,000 already and are moving up to close to 21,000. In September alone, this program approved the application of close to 10,000 people to move forward.

We realize that there are people who are interested in coming forward on that program. As I indicated to the House a number of days ago, we are in the process of reviewing the program. We are working with the colleges, and we hope to have a plan forward very soon to continue to address that backlog. We want to continue to welcome more workers into that program, but we have to move forward in a sustainable way.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Rosario Marchese: Minister, unemployed workers need your help today. The ministry must develop a needs-based response instead of a numbers-based response to retraining. Many of these workers are struggling and running out of money, and you assured them the Second Career program would bring them hope.

You closed the door on many unemployed workers in September, and many fear you're going to close the door on them in October as well. To calm the fears of unemployed workers, Minister, will you guarantee that all qualified applicants who have submitted the appropriate documents and applied to approved Second Career programs will be able to start in October?

1110

Hon. John Milloy: I know the honourable member would never want to leave the impression in this Legislature that anyone who was approved for Second Career has not entered the program of their choice and is moving forward. We have worked with all the colleges to make sure that all individuals who have been approved for the program have moved forward with their training. We are working to address the backlog, I acknowledge the backlog, but I find it passing strange that the member from that party, who voted against this program and spent the last year standing up in this House and calling it a flop, criticizing it and saying it was a joke, would stand up today and not congratulate the government for having helped over 20,000, close to 21,000, workers in the course of 15 months.

OCCUPATIONAL HEALTH AND SAFETY

Mr. Lorenzo Berardinetti: My question is to the Minister of Labour. Earlier today you made mention of the Occupational Health and Safety Act and the fact that today is the 30th anniversary. As we all know, the legislation is the foundation for efforts to ensure health and safety in workplaces across the province. This is an important piece of legislation, as it affects my constituents and workers across the province. I know your ministry and many others are working hard to ensure that it ac-

complishes the purposes for which it was created. Everyone has a responsibility to ensure healthy and safe work environments.

Would the minister tell us a little bit about the Occupational Health and Safety Act and what impact this act has had on the health and safety of Ontario's workers and their families over the past three decades?

Hon. Peter Fonseca: I'd like to thank the member for the question. Indeed, today is an historic day. As the member has said, this is the 30th anniversary of the Occupational Health and Safety Act. Before this act came into force, Ontario was governed by a mix of legislation that had many gaps in place and many overlaps, but on October 1, 1979, those disparate laws were replaced by one comprehensive law. This act transformed how workplaces manage health and safety. It extended workers three key rights: the right to know about workplace hazards; the right to participate in matters affecting health and safety; and the right to refuse unsafe work.

Today, 30 years later, we can all look back and be proud of the Occupational Health and Safety Act and what it's done for Ontario.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Lorenzo Berardinetti: This anniversary obviously represents an important milestone for workers in Ontario. Our government continues to lead the effort to ensure that workers in the province of Ontario make it home safe after a hard day's work. We know workers and employers are becoming more aware of their rights and responsibilities under this act, but more needs to be done. My constituents have asked me what our government is doing to ensure safe and healthy workplaces.

Would the minister please tell us about some of the ways that the Occupational Health and Safety Act has evolved to respond to the challenges being faced in today's workplaces?

Hon. Peter Fonseca: Times have changed, and workplace dynamics change year over year. My ministry strives to ensure that our health and safety legislation keeps pace with the changing times. We have a program called Safe at Work Ontario. It's our compliance strategy for occupational health and safety. Our inspectors work with employers, labour representatives and industry to ensure that our workplace cultures are healthy and safe. They also want to get in there and provide the types of resources that employers need. We have our health and safety associations that provide those best practices, that make sure that the internal responsibility system is in place.

The most important thing that we have done is that this legislation helps us save lives—

The Speaker (Hon. Steve Peters): Thank you.

CANCER TREATMENT

Mrs. Joyce Savoline: My question is to the Minister of Health. Minister, colon cancer patients using Avastin, whose treatments have been showing positive results, have repeatedly asked you to remove the cap so that they

may continue their treatments. Your lack of response prompted me to get the Ombudsman to take a look into the matter. The Ombudsman said in his report yesterday, "Remove the cap." Will you agree today, Mr. Minister, to remove that cap for Avastin patients?

Hon. David Caplan: I want to thank the member for the question. First and foremost, I want to extend my deepest sympathy to Ontarians who are suffering from advanced colorectal—or any cancer, for that matter. I understand the difficulties that families and individuals face, that physicians face, in battling this serious disease.

The member mentions the Ombudsman. In doing his review, the Ombudsman chose anecdotal and emotional evidence over clinical and medical evidence and advice to make his recommendation.

We announced back in July 2008 to provide more than \$30 million in funding for Avastin. The funding was based on several clinical studies, three in particular, that were used to determine the best treatment for first-line defence against colorectal cancer. The trials were focused on outcomes and benefits, and experts came up with an effective, safe and cost-efficient plan. It is based upon medical evidence that these decisions are made—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mrs. Joyce Savoline: That answer is shameful and repugnant to people suffering from colorectal cancer in Ontario today. What is so offensive to these patients is that, and I'm going to quote from the Ombudsman's report, "this investigation proved to be the exception, with senior ministry and Cancer Care Ontario officials refusing to have their interviews recorded."

Is this yet another example of your ministry's unwillingness to be transparent? Why did your ministry officials refuse to be recorded? What have you got to hide?

Hon. David Caplan: In fact, the clinical evidence is online, available for anybody who wants to review it. There are 20 experts who serve on the committee to evaluate drugs and make this particular advice to government about what should be funded and how that will work.

Decisions regarding critical-care medical treatments have to be based on clinical evidence, I say to the member opposite. That's to ensure safety for patients, effectiveness of treatment and cost-efficiencies in context of the overall drug program and the needs of all Ontarians.

This government invested \$30 million to be able to support Avastin treatment. Without clinical evidence to support his recommendations to extend Avastin treatment, I can't find reason to fund this treatment beyond the 16 cycles that are currently funded. Should additional evidence be provided, of course it would be evaluated and it would be an important input into other decisions that could be made.

HOSPITAL SPENDING

Ms. Andrea Horwath: My question is to the Minister of Health. Diane Beattie is the vice-president and chief

information officer at London Health Sciences Centre. She broke the rules and awarded more than \$3 million worth of untendered electronic health contracts to a single consulting company, a company run by a former colleague of hers. Beattie is losing her job, but is being given a \$451,000 golden handshake.

As London families struggle to find long-term-care beds and to cope with cuts to important health care services, is this minister going to look the other way, or will he step in and stop this scandalous abuse of health care dollars by saying no to this golden handshake?

The Speaker (Hon. Steve Peters): Minister?

Hon. David Caplan: In fact, the member has her facts quite wrong. Funding for London health care has only increased under this government, as opposed to what we have seen under previous governments.

Ontarians expect that government agencies and institutions use public funding prudently, and so do I. In this case, the rules were broken. They were caught by an internal audit, and the hospital did the appropriate thing and cancelled the contract.

Our government is all about openness and transparency. That's why we have made a number of changes in this House. It was our government that expanded the role of the Auditor General. The members opposite opposed these steps. We've opened up our hospitals, our schools, our colleges and universities and crown corporations to value-for-money audits. Expenses, in addition, for Ontario public service senior management, cabinet ministers, political staff and senior executives at Ontario's—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

1120

Ms. Andrea Horwath: This minister needs to just say, "Enough is enough." When someone so blatantly breaks the rules, they shouldn't be able to walk away with almost half a million dollars of the taxpayers' money, of their precious health care dollars. Why won't this minister just do the right thing? Why won't he stand up for health care in London and demand that the London Health Sciences Centre board cancel Ms. Beattie's golden handshake?

Hon. David Caplan: The member now says that hospital boards should receive direction. They are independent corporations governed by independent boards. In this particular case, the board and senior management have made decisions that are within their purview. In fact, I think that whether it is through the internal auditing process or whether it is through the cancellation of the contract, I would say that the senior management have taken the very important steps that people in London and indeed the people of Ontario would expect that they would do.

I do note, in fact, that this member has changed her mind on several occasions in these matters. In some cases she believes it should be treated one way and sometimes she believes it ought to be treated a different way. Looking for consistency from my friend opposite is not a light at the end of the tunnel. Speaker—

The Speaker (Hon. Steve Peters): Thank you.

ADULT LITERACY

Ms. Helena Jaczek: My question is for the Minister of Training, Colleges and Universities. We know that right here in Ontario and in fact across Canada, there are people who lack the necessary literacy skills to fully participate in today's workforce. Without strong reading, writing and numeracy skills, individuals have fewer possibilities of sustainable employment and cannot further access education or training that leads to better work opportunities.

As we move to a knowledge-based economy, the need for Ontarians to acquire these skills is becoming more and more necessary. We know that by 2020, 70% of jobs will require some form of post-secondary educational training. Investing in literacy and essential skills is not only good for people; it is good for our economy. Literacy training plays an important role in strengthening Ontario's workforce, which will in fact strengthen our economy.

Minister, how are you helping the many Ontarians who need these crucial skills?

Hon. John Milloy: I want to thank the member for the question. I think all members in the House recognize the important role that literacy training plays in what I like to call the continuum of education that exists for adults here in the province of Ontario. Indeed, statistics bear out the need for substantial literacy support out there.

I'm very pleased to say that our government, on an annual basis, usually invests about \$80 million. In the 2009 budget, we announced a further sum: some \$90 million over two years to support literacy programs here in Ontario. This will help to provide support, for example, for the literacy programs that are offered at almost 300 sites across this province, including colleges, school boards and community-based organizations, to make sure that Ontarians have access to the services that they need.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Helena Jaczek: I've had the opportunity to meet with literacy and basic skill service providers in my community, and I can tell you that the York Region District School Board is doing an outstanding job at reaching out to those who need help and getting them the assistance they need to upgrade their skills for success. Literacy Council York South has also demonstrated a commitment to provide opportunities for members of my rapidly growing community to build critical foundation skills and participate in today's workforce.

But they cannot do it alone. I've heard from local literacy organizations that more and more people are accessing their services and demand is great. Minister, how are you helping these important organizations at a time when their services and support are so needed?

Hon. John Milloy: I'm pleased to report to the House that in July of this year, I visited the Hamilton Literacy Council, where I was pleased to announce our government's investment of \$25 million in colleges, school boards and community literacy organizations in the Employment Ontario network to help laid-off workers and other adult learners train for highly skilled jobs.

At the same time, I was able to announce \$5 million this year to expand online literacy training. By expanding online resources, this project provides more learning opportunities for English-speaking, French-speaking, aboriginal learners living in remote communities, and deaf adult learners.

I had a chance during that announcement and during subsequent visits as minister to visit many of these centres and see the outstanding work that's going on. I want to credit everyone who's part of this network for the service they provide to Ontarians looking to upgrade their literacy skills, one that is a valuable part of—

The Speaker (Hon. Steve Peters): Thank you.

CORONER'S OFFICE

Mr. Garfield Dunlop: My question is for the Minister of Community Safety and Correctional Services. This House has been following the saga of the Farlow family, Tim and Barb Farlow, for the last year or so at least. I spoke a couple of times on Bill 115, and again in response to you the other day. Also, Mr. Farlow has responded and had a deputation at the Bill 115 hearings.

They are here with family and friends seeking assurance that their baby Annie's death was natural and inevitable. After the chief coroner refused to answer questions, the family turned to you, Minister. In multiple letters to the family, the minister has repeatedly assured them that the coroner's report was sound and that a report existed that revealed that all of the narcotics used on the baby were accounted for.

The Farlows have asked you to provide written assurance that their question regarding the lethal narcotics given to their daughter will be answered. Minister, will you provide the family with that assurance?

Hon. Rick Bartolucci: Obviously, whenever there is tragedy within a family, everyone shares in that sympathy and everyone wants to ensure that as many answers as possible are given to the family. That's why we rely on our experts. That's why we rely on the chief coroner to provide the expertise in the determination of whatever final decision will be made. Obviously, our sympathy goes out, but I will defer always to those experts who can provide the best possible answers to those families who are grieving.

The Speaker (Hon. Steve Peters): Supplementary.

Mr. Garfield Dunlop: Recently, the hospital admitted that they were not certain where the deadly narcotic used on their daughter had gone to. Clearly, the narcotics were not accounted for, and despite this, the minister refused to order a disinterment. The Farlows are correct in their belief that the coroner's report was seriously flawed. Serious questions are raised regarding whether the report that the coroner's office says it's relying on even exists today.

Minister, can you explain why you defended a coroner's document that has been proven not to account for the missing narcotics, as the coroner's report stated?

Hon. Rick Bartolucci: Again, in a very, very sensitive manner, I can only provide the best possible answer, given the facts. The facts in this instance are that the chief coroner—the coroner—is the best person, the most qualified person, the person who will look at all the evidence with professional eyes. I have to say that at the end of the day, he or she—that coroner, the chief coroner—is the one who is best positioned to give the answer, although it may not be the answer that an individual is looking for. It is the best possible answer that can be given, based on professional ethics.

CHILDREN'S SERVICES

Mr. Howard Hampton: A question to the Minister of Children and Youth Services: The Family and Children's Services of the District of Rainy River has had a balanced budget for the last three years, despite receiving a blended funding rate of only \$39 per child in care, while the provincial blended funding rate is \$79 per child in care. However, this agency has now been put in a very difficult financial situation because your ministry, mid-year, cut their budget by \$400,000, on a full-year budget of only \$3 million. This means they will not have the money to provide services for children in need over the last three months.

My question is this: Why is the McGuinty government undermining this family and children's services organization's capacity to protect children in need?

1130

Hon. Deborah Matthews: Let me begin by telling you that nothing is more important to me than kids in the care of our children's aid societies—nothing is more important. On this particular case we're working very closely with Family and Children's Services of the District of Rainy River to find a solution to this particular situation. But let me assure you: There is no impending shutdown. We are looking to actually improve services to kids.

Across this system, we've increased funding for child protection by \$385 million since we were elected in 2003-04. In fact, this year's budget contains \$30 million more for child protection than last year's budget. It's also important to note that our transformation is working: 41% fewer kids, fewer cases—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Howard Hampton: That's the minister's story. The minister should read a letter from the Ontario Association of Children's Aid Societies to the Premier, a letter of just a couple of days ago. Let me quote:

"Currently ... the government's ... funding strategy for children's aid societies ... threatens to undermine their capacity to protect children and to meet even the minimum standards of the Child and Family Services Act. The negative impact of this funding strategy"—cutting back money mid-year—"on all CASs has been enormous ... it is estimated that one fifth of the 53 CASs in Ontario will be insolvent by the end of this fiscal year. Operations

at some may not be sustainable within the next few weeks....

"The government's recent actions represent a significant and far-reaching funding strategy change...."

I ask again: Why are you undermining the capacity of CASs, like the Rainy River CAS, to protect vulnerable children?

Hon. Deborah Matthews: As I was saying, we actually have increased funding, budget to budget, for CASs this year. The difference is, we are not—and we've been clear with the CASs—going back for year-end funding to fund those deficits. Those days are behind us.

Mr. Howard Hampton: You should read the letter.

Hon. Deborah Matthews: I have read the letter.

Over the last decade, funding to the child protection system has increased by almost a billion dollars, from about \$500 million to \$1.4 billion. It's clear we need to take a good hard look at where that money is being spent, and that's why we are establishing a commission to promote sustainability in the child protection sector.

As I said, there is nothing more important, no responsibility greater, than kids in our care. We need to make sure that that money is getting to where it can do the most good.

TAXATION

Mrs. Maria Van Bommel: My question is for the Minister of Agriculture, Food and Rural Affairs. This past spring there were inaccurate reports in the media with regard to the implementation of the proposed single sales tax and its impact for farmers. It was reported that farmers will have to pay 8% more for farmland under the proposed single sales tax and that at \$10,000 an acre, this will add an \$80,000 cost to a 100-acre farm.

On behalf of the farmers of Lambton-Kent-Middlesex, I ask the minister for clarification to correct the record and to explain how farmland sales will be impacted by the new proposed single sales tax.

Hon. Leona Dombrowsky: I have really three points of clarification, because the information that has been put out there is not accurate. Where the purchase of farmland is to be used in farming business, any taxes that would be paid would be totally reimbursed—point number one. Point number two, where farmland is sold by a farmer as part of a sale of a farming business, by completing the necessary paperwork, both parties may elect not to pay the single sales tax at all. That's the second option. The third important point is that when an individual who is related is purchasing farmland, there is no tax paid with that farmland transfer at all.

Those are the facts. If anyone on the other side of the House is not—

The Speaker (Hon. Steve Peters): Thank you. The time for question period has ended.

Hon. Christopher Bentley: Speaker, is it a point of order to recognize Rod Elliot on his last day assisting us in the duties of this House?

The Speaker (Hon. Steve Peters): No, it's not a point of order, but we wish Rod well.

MEMBERS' STATEMENTS

DEFERRED VOTES

PUBLIC SECTOR EXPENSES REVIEW ACT, 2009

LOI DE 2009 SUR L'EXAMEN DES DÉPENSES DANS LE SECTEUR PUBLIC

Deferred vote on the motion for second reading of Bill 201, An Act to provide for review of expenses in the public sector / Projet de loi 201, Loi prévoyant l'examen des dépenses dans le secteur public.

The Speaker (Hon. Steve Peters): Call in the members. This will be a five-minute bell.

The division bells rang from 1135 to 1140.

The Speaker (Hon. Steve Peters): All those in favour will rise one at a time and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia
Albanese, Laura
Arthurs, Wayne
Balkissoon, Bas
Bartolucci, Rick
Bentley, Christopher
Berardinetti, Lorenzo
Best, Margaret
Bradley, James J.
Brown, Michael A.
Cansfield, Donna H.
Caplan, David
Colle, Mike
Delaney, Bob
Dickson, Joe
Dombrowsky, Leona
Duguid, Brad
Duncan, Dwight
Flynn, Kevin Daniel

Fonseca, Peter
Gerretsen, John
Gélinas, France
Gravelle, Michael
Hoskins, Eric
Hoy, Pat
Jaczek, Helena
Kular, Kuldip
Lalonde, Jean-Marc
Leal, Jeff
Marchese, Rosario
Matthews, Deborah
McMeekin, Ted
McNeely, Phil
Meilleur, Madeleine
Miller, Paul
Milloy, John
Moridi, Reza
Oraziotti, David

Pendergast, Leeanna
Phillips, Gerry
Prue, Michael
Pupatello, Sandra
Qaadri, Shafiq
Ramal, Khalil
Rinaldi, Lou
Ruprecht, Tony
Sandals, Liz
Sergio, Mario
Smith, Monique
Smitherman, George
Sorbara, Greg
Sousa, Charles
Takhar, Harinder S.
Van Bommel, Maria
Wynne, Kathleen O.

The Speaker (Hon. Steve Peters): All those opposed?

Nays

Bailey, Robert
Dunlop, Garfield
Elliott, Christine
Hardeman, Ernie
Hillier, Randy

Jones, Sylvia
Martiniuk, Gerry
Miller, Norm
Munro, Julia
Runciman, Robert W.

Savoline, Joyce
Shurman, Peter
Witmer, Elizabeth
Yakabuski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 55; the nays are 14.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Second reading agreed to.

The Speaker (Hon. Steve Peters): Pursuant to the September 30, 2009, order of the House, this bill is referred to the Standing Committee on Finance and Economic Affairs.

This House stands recessed until 1 p.m. this afternoon.

The House recessed from 1143 to 1300.

DOCTOR SHORTAGE

Ms. Sylvia Jones: I was alarmed to learn this summer that a review of the underserved area program could mean communities in Dufferin-Caledon will lose financial incentives to recruit and retain much-needed doctors.

Many families in my constituency cannot find a doctor because my area is so underserved. Six years ago, Premier McGuinty promised to recruit and train more doctors. He also promised that no person would go without regular medical attention. Six years later, nearly 20,000 residents in Dufferin-Caledon are still without a family physician.

The town of Caledon has experienced significant population growth, and the Central West LHIN is projected to be the fastest-growing region in the province over the next 10 years. Based on the current physician-to-patient ratio of one doctor for every 1,380 people, the recommended number of physicians is 41. By this formula, Caledon alone is underserved by 18 physicians. The government's own report, prepared by the Central West LHIN, clearly indicates that Caledon is underserved for primary health physicians.

All health studies indicate that access to a family doctor is essential for early detection and management of chronic diseases. It is also the only way a family can access the services of family health teams. The government needs to be doing everything it can to ensure that Ontario has enough family doctors.

Caledon needs access to the underserved area program to have the tools to recruit and retain family doctors for our community, and I trust that the underserved area—

The Speaker (Hon. Steve Peters): Thank you.

TECHALLIANCE

Mr. Khalil Ramal: I rise today to tell the House some good news about a project that is unique to London. Last Friday, Minister Matthews, Minister Bentley and I participated in the BiOlympics. A non-profit organization called TechAlliance is an initiative that brings elementary and high school students together with businesses and government leaders for high-spirited science competitions.

London has a tough time retaining its science grads, and TechAlliance took the initiative to establish bridges between students and local employers. The project is to create long-term growth and stability in London's biotech sector by engaging youth in fun and challenging activities.

Along with event leaders, we guided teams of very intelligent students through games like extracting DNA from a banana and genetic decoding. The entire event was exciting and the students were exemplary team players.

I would like to thank TechAlliance and their partners in their grassroots efforts that will give London the competitive edge over other cities across North America. I am proud to have such entrepreneurship in my city. I would like to commend Allison Fischer, her team and the students who participated in this very important event. I participated in it and enjoyed it, and hopefully every city across the province of Ontario experienced that enjoyment.

Thank you, Mr. Speaker, for allowing me to make this statement.

FIREFIGHTERS' MEMORIAL

Mr. Garfield Dunlop: This Sunday, October 4, the Ontario Fire Fighters Memorial Foundation will be holding its annual memorial service, on the northwest corner of Queen's Park Circle and College Street, to honour firefighters whose names have been inscribed on the monument. This dedication will begin around 1 p.m.

In March 2003, the Ontario Fire Fighters Memorial Foundation was incorporated. The mission is to establish and maintain a lasting memorial dedicated to the firefighters who have sacrificed their lives to the service of the people of Ontario.

I want to read into the record a firefighters' prayer which is inscribed on the memorial. It goes as follows:

"When I am called to duty, God,
 "Whenever flames may rage,
 "Give me the strength to save some life
 "Whatever be its age.
 "Help me embrace a little child,
 "Before it is too late,
 "Or save an older person from
 "The horror of that fate.
 "Enable me to be alert,
 "And hear the weakest shout,
 "And quickly and efficiently
 "To put the fire out.
 "I want to give my calling and
 "To give the best in me,
 "To guard my every neighbour and
 "Protect his property.
 "And if according to Your will,
 "I am to lose my life,
 "Please bless with your protecting hand
 "My children and my spouse."

I would welcome everyone in this House, if they have an opportunity, to try to get out this Sunday to the firefighters' memorial here at Queen's Park.

GRAPE AND WINE INDUSTRY

Mr. Peter Kormos: There's a crisis in the greenbelt down in Niagara. It's happening right now. This government is turning its back on grape growers who still have 8,000 metric tonnes of grape rotting on the vine because they can't sell it. Grape growers have been very modest

in their request of this government. They're asking that the government increase the Ontario grape content in cellared-in-Canada wines to a mere 50%. I argue that it should be much higher, but the plonk producers—the ones who import shipped tankerfuls of Chilean plonk, which ferments on its way up the west coast of South America and across the Panama Canal—insist that they want to control it at 30%. What this does is leave grape to rot, and it puts those very valuable and scarce vineyard/wine-producing, grape-growing lands at risk. All the greenbelt legislation in the world isn't going to save that land if farmers working it can't make even a modest living producing high-quality harvest.

This government has got to move quickly to increase the requirement for Ontario grape in cellared-in-Canada wine products. This province has to move quickly to ensure that those grape growers who are left with those 8,000 metric tonnes aren't bankrupted by the market.

CHANGA HOUSE

Mr. Lorenzo Berardinetti: I rise today to talk about an exciting project in my riding. The project is known as Changa House. This is part of a vision that has become reality through someone by the name of Dr. Roz Roach. Dr. Roz Roach runs a healing place which is used for empowerment and healing for women and children who exist in environments of violence. The same concept now is being moved to young people.

The idea behind Changa House, which is being built and is going to be started in the next little while, is to bring about a place for young people and teenagers to get past the violence and get involved in programs and other things that are positive and move them away from the negative environments that they may be in.

I stand today to commend and congratulate Dr. Roz Roach. She runs a successful centre already, as I said, for women who suffer from violence, and she's doing the same thing now with young teenagers and other young people who require help.

The word "Changa" has its roots in African, and it means "strength", "strong as iron" and "good." It's my wish and desire, and hopefully that of all members of this House, that when Changa House finally opens its doors, it will be a place of strength and of good for all the young people who come in there.

Even though we require police and we require enforcement and other mechanisms to ensure that our society is safe, I think the very best route is what this person, Dr. Roz Roach, is trying to take. I commend her and I look forward to its opening.

HEATHER SIFTON

Mr. Frank Klees: It's my privilege to bring to the attention of the Legislature that Ms. Heather Sifton will be honoured as the first recipient of the Elsie MacGill Northern Lights Award. This award was established by the first Canadian chapter of the Ninety-Nines Organiz-

ation of Women Pilots, and is named after the first female aircraft designer in the world. The award recognizes women who have made a significant contribution to aviation in Canada.

Heather Sifton is a worthy recipient of this award. She is an accomplished pilot and a long-time supporter of general aviation and women in aviation. Among many other contributions to aviation, Heather and her family have operated the Buttonville airport in York region continuously since 1963.

1310

Heather Sifton is also well-known in York region and throughout Ontario for her charitable community work. She has been a stalwart supporter of many charitable causes, including Polo for Heart and the McMichael and Varley art galleries.

Throughout her entire life, Heather Sifton has always reached for the sky in her personal, community and professional undertakings. On behalf of all members of the Legislature, I congratulate Heather Sifton on achieving this well-deserved recognition of her lifelong contribution to aviation in Canada.

PREMIER'S AWARDS FOR TEACHING EXCELLENCE

Mrs. Linda Jeffrey: It gives me great pleasure to rise in the House to let members know that nominations are now being accepted for the Premier's Awards for Teaching Excellence.

Each school day, parents hand over their most precious gift—their children—to teachers. The McGuinty government commends the work that teachers and school board staff do on a daily basis to help our students reach their full potential.

The Premier's awards are a great way to acknowledge those individuals who choose to make a difference in our children's education. Starting today, parents, students, educators and community members can nominate an outstanding educator or support staff worker for an award. The deadline for nominations is February 1, 2010. The Ministry of Education has just launched the fourth year of this highly successful program, which has seen more than 3,000 nominations received and 50 educators and support staff recognized for this prestigious award.

These awards signify the McGuinty government's commitment to our education system and understanding that our teachers are its backbone. I encourage all members of the House and all Ontarians to recognize the efforts of Ontario's teachers not just until February 1 but all through the year.

ROAD SAFETY

Mr. Bas Balkissoon: It gives me pleasure to rise and talk about the latest initiative in the McGuinty government's ongoing commitment to improving driver safety across Ontario. The McGuinty Liberals have made tremendous progress in improving road safety through

repairs to aging infrastructure, tough new street racing legislation and the aerial enforcement of the 400-series highways. This government also recognizes that a leading cause of collisions is distracted drivers, and I am pleased that our bill to ban the use of electronic communication devices while driving will take effect October 26, 2009.

We also realize that education surrounding this legislation is essential, and tickets will be issued beginning February 1, following a three-month driver education campaign. Our legislation will extend to the multitude of electronic communication devices currently on the market, including BlackBerrys, PDAs and hand-held GPS devices, making this legislation truly groundbreaking. Ontario joins more than 50 countries worldwide, and Newfoundland and Labrador, Quebec and Nova Scotia, in understanding that attentive drivers are the first step in reducing traffic accidents and fatalities.

This legislation is another example of the bold moves taken by the McGuinty Liberals to increase driver safety on Ontario roads. We'll continue to work hard so that people arrive home safely to their loved ones—

The Speaker (Hon. Steve Peters): Thank you.

PEOPLE'S REPUBLIC OF CHINA

Mr. Tony Ruprecht: On this day 60 years ago exactly, October 1, 1949, a great event took place in the history of mankind: the establishment of the People's Republic of China. Today, as you know, Mr. Speaker—you were present—we raised the flag of the People's Republic. As the flag was raised, we were reminded of a number of items of history.

This flag today speaks to us. It speaks to us about the great revolution and the great drive for independence. It speaks to us for the determination of the Chinese people to ensure that they structure their own future and determine their own destiny, because we remember what happened in the past when China was divided: China was dominated and China was divided up between the great powers.

So today, as we raise this flag, we are reminded of this history of pain and this history of suffering, but we were also reminded of a chance to think about liberty and freedom: freedom for the Chinese people to look into the future and to ensure that the relationship between Canada and China is being maintained and, in fact, expanded.

But what is most important when you raise this flag is that we are reminded of the Chinese Canadian people who have maintained and ensured that our own country is being built, that our own country is being changed, and we look towards the future.

I want to ensure that we recognize the people who have come today not only to help us to celebrate but to maintain and cement the friendship between Canada and China. There is the consul general of the People's Republic of China, Madam Zhu. Next to her is her husband, Mr. Huo. Next to her husband is the vice-governor of Henan

province, Mr. Mancang. Next to her is Mr. Lu, who is the vice-consul of China.

Congratulations, and we wish you very well as we think about the future of the relationship between Canada and China.

The Speaker (Hon. Steve Peters): We welcome our guests, and to my friend the consul general, Madam Zhu, welcome to Queen's Park.

PRIVATE MEMBERS' PUBLIC BUSINESS

The Speaker (Hon. Steve Peters): I beg to inform the House that, pursuant to standing order 98(c), a change has been made to the order of precedence on the ballot list for private members' public business such that Mr. O'Toole assumes ballot item number 42 and Mr. Runciman assumes ballot item number 43.

CHILD ABUSE PREVENTION MONTH

Hon. Monique M. Smith: I believe we have unanimous consent for each member to wear a purple bracelet—

Interjection: The ribbon.

Hon. Monique M. Smith: —and the ribbon in recognition of Child Abuse Prevention Month, and for a member from each party to speak for up to five minutes regarding Child Abuse Prevention Month.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

Hon. Deborah Matthews: I rise today to recognize that October is Child Abuse Prevention Month. I thank the members of the House who are joining me in bringing awareness to this important cause by wearing a purple ribbon, pin or bracelet. The purple ribbon campaign reminds Ontarians everywhere about the signs of abuse and neglect, and their obligation to report suspected cases.

Abuse takes many forms. It can be physical, emotional or sexual. Abuse can also take the form of neglect. Neglect is when a caregiver fails to provide basic needs to a child, such as food, shelter and safety.

Too often after a tragic event occurs, neighbours, colleagues or friends are heard remarking that something didn't seem right. Well, if something doesn't seem right, there's a chance that it's not right, and expressing that concern after the event is simply too late.

Children are least able to protect themselves. They count on the adults around them to defend them. That's why all of us have both a moral and a legal responsibility to report suspicions to our authorities.

You will not be alone if you report your concerns; last year, thousands of people did. Children's aid societies across the province investigated more than 77,000 reports of alleged abuse.

The legal duty to report suspected abuse and neglect extends to all Ontarians. Our government is committed to the protection of the most vulnerable members of our society. We're committed to protecting children and youth and supporting a strengthened child well-being and protection system.

I want to take this opportunity to salute our CASs across the province and the dedicated professionals and service providers who are making the difference each and every day for those most at risk.

It is enormously challenging work. I am reminded of the great difference that caring individuals and a caring community can make.

As you know, a few years ago our government made changes to the Child and Family Services Act. We brought in reforms that make it easier for relatives to provide permanent homes for children and youth. And it has made a difference: There are fewer kids coming into care and more moving into permanent placements.

But with almost 10,000 crown wards in Ontario's system, we have much work to do. We're all committed to helping crown wards succeed.

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A big step forward is occurring through the child welfare outcomes expert reference group. Our government established this group, which includes members of children's aid societies, child welfare researchers and youth in care, so we can better help kids reach their full potential. Through their work, the ministry and CASs will identify a set of key outcomes for all children and youth receiving and/or transitioning from child welfare services in Ontario. We're focused on helping kids in care gain a higher degree of resiliency, improve their educational achievement and make smoother transitions to emerging adulthood.

This is entirely consistent with the direction our government is taking, but government programs alone cannot reduce or stop abuse. This is a collective responsibility. I urge all members of the House and all Ontarians to use their voice and report known or suspected child abuse and neglect to their local CAS.

Everyone has a role to play today and every day to speak out on behalf of abused children. Each and every one of us has the power to protect the safety and well-being of a child. It's up to us to speak up for those who aren't able to speak up for themselves.

Ms. Sylvia Jones: I'm pleased to speak on behalf of the Progressive Conservative caucus on the beginning of Child Abuse Prevention Month here in Ontario.

We are wearing our purple ribbons today to remind us that, as citizens, we have the moral and legal obligation to report any suspected cases of child abuse or neglect that may be happening in our communities. As legislators, we have the responsibility to ensure that these children are well taken care of outside of their abusive or neglectful situations and that the legal system does not fail them.

On behalf of the Progressive Conservative caucus, I would first like to express our thanks to those who are working every day to help people overcome their experiences with child abuse. I urge all members of this Legislature to work towards raising awareness not just during the month of October but every month.

Children need to know that we as legislators and as Ontarians stand behind them. It is important that we

provide the front-line child abuse care providers with the tools they need to provide the best possible care for our children. Protecting the children of Ontario is important to everyone. Unfortunately, we wake up daily to newspaper reports of children being abused, neglected, exploited and, in the worst cases, dying.

We all remember the case of seven-year-old Katelynn Sampson. Her young life came to an abrupt end on August 2, 2008, when she was found dead in the apartment of her caregiver and legal guardian. Katelynn's legal guardian and her boyfriend were charged with second-degree murder.

We have a responsibility to ensure that children in Ontario are safe, secure and have a bright future to look forward to. Although we know cases like this do happen, it is unacceptable that children in this province are still being abused, with no regard for their safety or their lives. By acknowledging that children need to be protected within their homes, schools and communities, we are taking the necessary steps to ensure that children are safe.

That is why my colleague Lisa MacLeod, the member for Nepean–Carleton, tried last spring with her private member's bill, the Children's Safety and Protection Rights Act. This bill would have been a step in the right direction to ensuring the safety of our province's children. This bill would have expanded Christopher's Law to include child abuse. It would have strengthened the Provincial Offences Act so that child abusers may be detained and unable to contact their victims. It also would have expanded the role of the Ombudsman and the Provincial Advocate for Children and Youth.

Unfortunately, Liberal members chose to vote it down. It's unfortunate that we cared more about partisanship than we did about passing a law that would protect Ontario's children.

My colleague received much support for her bill, with endorsements coming from the Ontario Association of Children's Aid Societies, Boost Child Abuse Prevention and Intervention, and the Ontario Ombudsman, to name a few.

During debate this afternoon, another one of my colleagues, Gerry Martiniuk, the member for Cambridge, will debate his private member's bill. This bill will ensure that libraries and schools in Ontario install software that will block pornographic websites. As today marks the beginning of Child Abuse Prevention Month, we hope that the Liberal members will see how passionate my colleague is about protecting children and that they will support him by passing Bill 202.

I think that we can all agree that we all want young people across the province of Ontario to have the means and support to reach their full potential, especially children in the most vulnerable situations.

As citizens, parents and legislators, we have the duty to ensure that our children are protected and that they have the opportunity to reach their full potential. It is our job to make sure that children have the tools necessary to help them build a brighter and better Ontario.

Ms. Cheri DiNovo: I rise today really in honour of the memory of Katelynn Sampson. Katelynn was a constituent of mine, as is her mother, Bernice Sampson. Bernice is someone I see and pass on the streets at least once a month. Bernice is a woman who has struggled with addiction issues all her life, and I can't help but think, on this eve of Child Abuse Prevention Month, how we—and I'm not going to be partisan about this—failed that family. We failed her as legislators; we failed her as educators; we failed her as a law enforcement and justice system; we failed her on all counts. The hope is that this year, this time, we'll do something differently.

Here is what we should be doing differently. Number one, we need to have enough money in our school system that there are enough adults whose eyes are on our children. That is to say, when a little girl goes missing from school for three months, it can't stop with a phone call home to see if she's okay, where an adult voice at the end of the line says, "Yes, she is." It can't stop there. There has to be follow-up. Quite frankly, it wasn't the fault of the public school; they just didn't have the money to send somebody out to check out that this little girl had been sent back to her reserve, which was what the line was on the other end. So we failed her there.

Had Bernice, her mother, had access to good child care, that little girl would have been in child care, but she couldn't afford good child care. She didn't have the social worker to send her child to good child care. So instead, she felt it was in the interest of the child to give her over to a couple she thought would look after her.

Then what happened? That's where the justice system failed her. Then the judge who presided over that case signed off on Katelynn Sampson without checking the criminal record of the foster caregivers. We wouldn't do that for a dog, but we did it for a child.

We know what happened at the end. But this little girl still, her spirit, I think, cries out really for redemption and for some kind of action, real action.

Today we heard the member from Kenora–Rainy River, who asked a question on behalf of over 30 children's aid societies across Ontario, all of which are chronically underfunded. They cannot provide the care to the high-risk children in their care. Surely, that's the first thing we should be doing: providing enough funding for all the CASs to do the work that they should do. So that's something else we can do.

What else can we do, an action that we could take? Certainly, the member from Dufferin–Caledon talked about a couple. I'd like to add my own.

We, on behalf of Maria Jones, another constituent, and Holly Jones—not a victim of abuse per se, a victim of violence, but Maria has decided to have something happen in Holly's memory, and that something is the Boost program in every elementary school. We have been working with the Boost providers and we have been talking to the Minister of Education. July 10 is when Boost applied to have their program made accessible to all the elementary teachers across this province. They're

still waiting. So I would ask—I see the Minister of Education here—that that program be made available to all the elementary teachers who want it, because it will assist them with identifying those in their classrooms who may be being abused, and it will give them the tools to deal with those in their classrooms who may be abused. That should be across the system. Maria Jones specifically has asked for this because she recognizes that although nothing might have saved her little girl, something very well might have been done to save other little girls, other little girls like Katelynn—and other little boys as well.

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So, am I pleased to rise? On the advent of Child Abuse Prevention Month, I think of that great biblical saying, “Better that a millstone be hung around their necks and they be thrown into the deepest sea than that they hurt a hair on the head of one of these.”

Now it's our turn, as all parties, to do everything within our means to prevent abuse from happening tomorrow, tonight, this afternoon, while we speak, because it is happening while we speak. Again, I just dedicate these comments in honour of the memory of Katelynn Sampson.

PETITIONS

TAXATION

Mr. Gerry Martiniuk: I have a petition sent to me by Preston Travel Centre Limited and Cambridge Insurance, which reads:

“Whereas Dalton McGuinty said he wouldn't raise taxes in the 2003 election, but in 2004 he brought in the health tax, the biggest tax hike in Ontario's history, but he still wants to cut health care services and nurses;

“Whereas Dalton McGuinty will increase taxes again on Canada Day 2010 with his new 13% combined GST, at a time when families and businesses can least afford it;

“Whereas Dalton McGuinty's new 13% combined GST will increase the cost of goods and services that families and businesses buy every day, such as: coffee, gas at the pumps, home heating oil, postage stamps, haircuts, dry cleaning, home renovations, veterinary care, arena ice, Internet fees, theatre admissions, funerals, courier fees, fast food sold for more than \$4, bus fares, golf green fees, gym fees, snowplowing, bicycles, taxi fares, train fares, domestic air travel, accountant services and real estate commissions;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Dalton McGuinty government wake up to Ontario's current economic reality and stop raising taxes, once and for all, on Ontario's hard-working families and businesses.”

As I agree with the petition, I affix my name thereto.

GOVERNMENT SERVICES

Mr. Joe Dickson: I have a petition to the Legislative Assembly of Ontario.

“Whereas current changes to ServiceOntario will expand and improve access to licensing, registration, health card renewal and other services; it will also close effective and service-oriented local businesses and cost us local jobs, such as the licence office that the Donald family has owned and operated in Whitby and Durham region for over 50 years; and

“Whereas we recognize the quality of service provided by the Donald family to be rated above the 100% efficiency level, including extended hours;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Donald family be maintained as a licence bureau of the highest quality in the region of Durham.”

I will submit the balance of about 1,500 names that have been delegated to this forum in the last week.

TAXATION

Mr. Ernie Hardeman: I have a petition signed by hundreds, thousands, if not more, residents of Oxford county. It is to the Legislative Assembly of Ontario.

“Whereas residents of Oxford do not want Dalton McGuinty's new sales tax, which will raise the cost of goods and services they use every day; and

“Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$500,000; and

“Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

“Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families, farmers and low-income Ontarians;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the McGuinty Liberal government not increase taxes for Ontario families.”

Thank you very much, Speaker, for allowing me to present this petition. I will sign it, as I agree with it.

HOSPITAL FUNDING

Mr. Bob Delaney: I have a petition to the Ontario Legislative Assembly that has been very kindly sent to me by the brothers and sisters at the ISNA mosque in Mississauga. I especially want to thank Dr. Mohammed Ashraf, Zubair Malik and Muhammad Haroon for having collected the signatures on this. It reads as follows:

“Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the ongoing capital

project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility. An ambulatory surgery centre would greatly increase the ability of surgeons to perform more procedures, reduce wait times for patients and free up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2009-10 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I'm pleased to sign and to support this petition and to ask Connor to carry it for me.

TAXATION

Mr. Frank Klees: I have petitions here relating to the HST, which is strongly opposed by many thousands in my constituency. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty said he wouldn't raise taxes in the 2003 election, but in 2004 he brought in the health tax, the biggest tax hike in Ontario's history; and

"Whereas Dalton McGuinty will increase taxes yet again with his new 13% combined sales tax, at a time when families and businesses can least afford it; and

"Whereas Dalton McGuinty's new 13% sales tax will increase the cost of goods and services that families and businesses buy every day, such as coffee, newspapers and magazines, gas at the pumps, home heating oil and electricity, postage stamps, haircuts, dry cleaning, home renovations, some health care services such as athletic therapy, acupuncture and massage therapy, veterinary care, and arena ice and soccer field rentals;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government wake up to Ontario's current economic reality and stop raising taxes, once and for all, on Ontario's hard-working families and businesses."

I'm pleased to affix my signature in support of this petition.

TAXATION

Mr. Gerry Martiniuk: I have petitions presented to me by Alison Tone and Lois Cybalski from Cambridge, which read:

"Whereas Dalton McGuinty said he wouldn't raise taxes in the 2003 election, but in 2004 he brought in the health tax, the largest tax hike in Ontario's history, but he still cuts health care services and nurses;

"Whereas Dalton McGuinty will increase taxes yet again on Canada Day 2010, with his new 13% combined GST, at a time when families and businesses can least afford it;

"Whereas Dalton McGuinty's new 13% combined GST will increase the cost of goods and services that families and businesses buy every day, such as coffee ... gas at the pumps, home heating oil and electricity, postage stamps, haircuts, dry cleaning, home renovations, veterinary care, arena ice and soccer field rentals, Internet fees, theatre admissions, funerals, courier fees, fast food sold for" more than "\$4, bus fares, golf green fees, gym fees, snowplowing, bicycles, taxi fares, train fares, domestic air travel, accountant services and real estate commissions;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government wake up to Ontario's current economic reality and stop raising taxes, once and for all, on Ontario's hard-working families and businesses."

As I agree with the petition, I affix my name thereto.

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PARENTING EDUCATION

Mr. Bob Delaney: I have a petition here to the Legislative Assembly of Ontario that I would like to read on behalf of my seatmate, the hard-working member for Niagara Falls. It reads as follows:

"Whereas effective parenting practices do not come instinctively, and parenting is our most crucial social role, parenting and human development courses need to be taught to all secondary school students. Parenting education will reduce teen pregnancies; reduce the rate of costly fetal alcohol spectrum disorders and increase the number of healthy pregnancies; reduce the number of costly social problems related to ineffective parenting practices; and improve the 'social fabric' of Ontario to create a more civil society. Parenting education for students is considered to be socially valuable by a majority of adults of voting age and should be included as a mandatory credit course within the Ontario curriculum;

"We, the undersigned, petition the Legislative Assembly of Ontario to amend the requirements for the Ontario secondary school diploma to include one senior level (grade 11 or 12) credit course in parenting education (students to select one of: living and working with children [HPW3C]; parenting [HPC30]; issues in human growth and development [HHG4M]; parenting and human development [HPD4E]) as a compulsory credit."

On behalf of the member for Niagara Falls, I'm pleased to affix my signature to this petition and to ask page Ava to carry it for me.

TAXATION

Mr. Norm Miller: I have a petition on the McGuinty sales tax. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the McGuinty government is planning to merge the 8% provincial sales tax and the 5% federal sales tax; and

"Whereas the new 13% sales tax will be applied to products and services not previously subject to provincial sales tax, such as gasoline, home heating fuels, home renovations, haircuts, hamburgers, television service, Internet service, telephone and cell services, taxi fees, bus, train and airplane tickets, and dry cleaning services;

"Whereas rural and northern Ontarians will be particularly hard hit by Mr. McGuinty's new sales tax, as will seniors and families;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government should eliminate the new sales tax."

I'll give this to Nicole.

HOSPITAL FUNDING

Mr. Jeff Leal: I just got a petition from a Cathy Walker who lives in Mississauga, Ontario.

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I agree with this petition and will give it to Alyssa.

PRIVATE MEMBERS' PUBLIC BUSINESS

EDUCATION STATUTE LAW AMENDMENT ACT (ELECTRONIC SEXUAL MATERIAL), 2009

LOI DE 2009 MODIFIANT DES LOIS EN CE QUI A TRAIT À L'ÉDUCATION (DOCUMENTS ÉLECTRONIQUES À CARACTÈRE SEXUEL)

Mr. Martiniuk moved second reading of the following bill:

Bill 202, An Act to protect our children from pornography / Projet de loi 202, Loi visant à protéger nos enfants contre la pornographie.

The Speaker (Hon. Steve Peters): Pursuant to standing order 98, the member has 12 minutes for his presentation.

Mr. Gerry Martiniuk: The title of this bill is An Act to protect our children from pornography, and it aims to do one thing and one thing only: protect children from viewing pornography and other sexually explicit material on the Internet, in our schools and libraries. It does not affect Internet content outside of our schools and libraries.

In the event you are not familiar with hard-core porn on the Internet, it goes far beyond the familiar Playboy. We are talking about degrading sexual violence to women and young children.

I personally was not aware that libraries and schools weren't required to use Internet filtering software until one of my constituents, Rob Nickel, witnessed a man downloading porn at the Cambridge library. There were two young children sitting next to this man. Coincidentally, Nickel is a retired police officer who worked online undercover in the OPP child pornography unit.

Industry sources estimate that only 30% to 35% of the children in Ontario are protected in our schools and libraries by Internet filtering. That's right: 65% to 70% of our children are presently unprotected.

Currently, Rob Nickel operates Cyber Safety and tours North America, educating parents, teachers and other groups about the importance of keeping our children safe online, so you can appreciate his deep concern when he witnessed graphic images on a computer at a public library in my area. Cambridge is the only library system in Waterloo region that does not use filters to block offensive material. We are fortunate that all the schools in our region do protect children by Internet filtering.

Recently, I received a copy of a letter that a London, Ontario, woman wrote to several politicians and library administrators. The letter explains that she witnessed a male patron of the London library viewing very graphic and degrading images of women. In the letter she wrote: "I didn't have to peer over his shoulder because it was on full display to anyone who walked or sat nearby. I moved and complained to the librarian that there were children in the area. I was given a complaint slip and told there was nothing they could do. I received the same response when I spoke to the library management the next day. 'Porn is not illegal,' I was told."

Ironically, this incident at the London, Ontario, library occurred two days after a 71-year-old man from the same city was charged after a complaint was received that he was viewing and printing child pornography at the central branch of the London Public Library. A search warrant executed at his residence resulted in a charge of accessing child pornography, possessing child pornography and printing child pornography.

We cannot permit such activity to occur in public places frequented by our children. If one child is exposed

to pornography, it is one child too many, and as I have said, 65% to 70% of our children are presently without protection.

Premier McGuinty has stated that it is not up to the government but the parents to protect their children from pornography. Well, the province's top cop disagrees. In a Cambridge Times article published September 25, 2009, OPP officer Julian Fantino agreed that filters are a must and government legislation should not be required for something that just makes sense.

"These are things that are just common sense," he told the Times.... "It's just the right thing to do."

"Fantino's talk" to the Kiwanis Club of Cambridge "emphasized a greater need to protect children from Internet predators who use" their computers to lure children for sex....

"We are all responsible for the well-being of our children," he said. "Besides, it makes no sense. These are places where the learning is supposed to be happening."

Internet filtering software is so advanced that fears of useful information being blocked are unfounded. There is no doubt that the software in its infancy, some 15 to 20 years ago, had numerous bugs and faults, but today the software on the market is much more sophisticated. Internet filtering software has advanced well beyond the simple search for words. With this simplistic methodology, the example of "breast cancer" would run the risk of being blocked. Now with the advanced programs, these problems have been solved.

In the United States and the United Kingdom, schools and libraries use Internet filtering software. Those countries are way ahead of us and point the way to the future. Libraries in the United States started using Internet filtering in the late 1990s due to community pressure and the Children's Internet Protection Act. CIPA is a federal law that requires all computers in public libraries to be filtered if that library accepts any federal funds for computers that access the Internet or costs associated with connection to the Internet.

1350

One industry expert who endorsed my bill through a letter to the Premier says that on average, kids begin to use computers and the Internet at the age of three. As you can imagine, young children learning to use a mouse have a tendency to click all over the screen. More than 26 children's sites, such as Pokémon and My Little Pony, have the potential to lead to pornographic sites.

Raheema Rehmtulla, from PurePages, a company that specializes in clean, safe Internet usage, writes: "On the Internet we are not just dealing with people from our own community; we are dealing with people all around the world, strangers to children: people that can teach them many things about parts of the world, and people that can also lure them into the world of child pornography. This is not a problem just in Ontario or Canada but a global problem. That is why the United States is working on it, and Australian, Chinese, Sri Lankan and Japanese governments are already enforcing different laws about

Internet safety. We need to act now to help save our communities and children."

According to my source at Netsweeper, Internet filtering software is inexpensive. For example, it would cost a small library a few hundred dollars over two or three years to install such software.

The government protects our children from viewing tobacco products in stores, and children are unable to view or purchase adult magazines. It is a natural extension to protect our children from inappropriate material that is available online in our tax-supported libraries and schools.

I repeat that this bill is not about censorship but about the safety and protection of a majority of users of the school and public library systems. We should not be harming our children on the altar of ideology of a few persons.

Many of the items on this government's long list of bans specifically target the protection of children. They banned smoking in cars, junk food in elementary schools and trans fats in schools.

I ask Premier McGuinty to please adopt this simple and inexpensive policy that will protect our children from the pornography and pedophiles that are a threat to young Internet users. The status quo, if we did nothing, simply means that 65% to 70% of our children are without protection against pornography in our tax-paid public schools and libraries in Ontario.

I hope all members will give my bill serious consideration when we vote on it later this afternoon.

The Acting Speaker (Mrs. Linda Jeffrey): The member from Parkdale-High Park.

Ms. Cheri DiNovo: It's apropos, on the eve of Child Abuse Prevention Month, to be dealing with a bill like this, and I want to commend the member from Cambridge for bringing it forward.

I want to note, however, for the record that this is not a bill that's supported by librarians or teachers, who clearly feel that their presence is what's really needed to monitor Internet access and use. I would extend that to the home situation and say that, again, it's incumbent upon every parent to monitor their children's Internet use and access, because without that, the kind of pedophile who preys on children is going to have access anyway.

The problem here—and I would point this out to the member from Cambridge—is that the filters that we have right now are fairly blunt tools. For example, if you were to look up information on Middlesex or Essex, some of the filters that are used would filter out that information. So if you were a child who lives in Essex or Middlesex and wanted to do homework on your own municipality, you might have a bit of a problem. That's where the filters are at right now, not to mention the fact—

Mr. Michael Prue: Sussex.

Ms. Cheri DiNovo: Sussex—we could go on—and not to mention the fact that if you want to research biology, again, anything with the term "sex" in it might be problematic.

Unfortunately, I have to point out to the member that this really is somewhat bordering on censorship, and

that's the problem. That's the problem: Where do you draw the line?

What stood out most pre-eminently to me was access to information for our lesbian, gay, trans and bisexual students, who, while in the coming-out process, really need to access information, and most of that information has something around sex in it, quite frankly. They need to be able to get at that information. We know that our LGBT students in schools are the ones highest at risk for suicide. As legislators, I think it's incumbent upon us to do everything we can to protect them. We want to make sure that they can get the information they need. This kind of filtering device—again, there are many filters out there that are optional, but many of them would in fact filter out that life-saving information as well. So that's a cautionary note and I think it's an important cautionary note. That's why—one of the reasons, certainly—our librarians and teachers are not in support of this bill.

The member gave an example, and I think it was an interesting one, of the librarian where it was a public library, some man was sitting at the computer, surfing porn sites, there were children around him, and the librarian said, "Well, fill out a complaint slip." I actually think—and I have a great deal of regard for librarians—that most librarians would not do that. Most librarians who know their job and take their responsibility seriously would actually intervene in a situation like that. I always hate it when something disparaging goes out from this place about those who work so hard with our children—teachers and librarians—and truly, I've never met a librarian who would not have intervened in a similar situation.

We want to make sure that the responsibility lies with parents, teachers, educators, librarians—that's who has it, and we trust them with it; we trust them to use their judgment—and not with the blunt tool of a filter that may or may not do what it's supposed to do. We're not quite there yet in our technology.

Of course, again, the motivation of this bill is nothing but positive. We need to do everything—and "everything" means everything—to keep our children safe.

There are certainly some actions that this government could take that I think would keep our children safe and that aren't in place. I mentioned some in my response to the ministerial statement just a short while ago. Make sure that all teachers have the materials at their fingertips so that they can identify and deal with child abuse as it's happening in their classrooms; that's a critical piece. We think the justice system needs to be a little bit more proactive when it comes to children's safety. We think that children's aid societies need to be funded so that they can look after the most vulnerable of our children. These are the children who are most at risk. These are the children with whom we need to work immediately, and the systems that are charged with their care.

So this, although on first blush it sounds like an answer, I really don't think is an answer. Keep in mind, too, that most instances of child abuse—and this is a hideous thing to have to say, but it's the truth—are with someone the child knows: a father, a stepfather, an uncle,

a trusted person in their community. This bill will do nothing to stop that.

Again, it's a very blunt tool, I think, to deal with a very complex problem, not one that I think will really work at its aim. It's certainly motivated by all the right reasons. Perhaps in the future the technology will exist that will be fine-tuned enough to allow for its implementation without, again, putting LGBT kids at risk, without stopping kids from doing research on Middlesex or Essex and on their biology projects, but that does not exist right now.

The Acting Speaker (Mrs. Linda Jeffrey): Member from Etobicoke–Lakeshore.

Ms. Laurel C. Broten: Thank you, Madam Speaker. I am glad that my mike is now on and I have a chance to speak about this Bill 202 that is before us on debate today. The benefit of private members' time is to bring forward issues that need to be spoken about in this Legislature and to find ways we can tackle, as a collectivity of elected members, issues that really affect all of our communities.

The member for Cambridge has brought forward, in the course of Bill 202, An Act to protect our children from pornography, a very important conversation, a conversation that we've had on the floor of this Legislature many times: How we can best protect our children. There is no doubt that there are many aspects to protecting our children from child pornography and other forms of pornography and making them feel safe, and I want to, in the time that I have today, talk about a couple of those issues.

There is no doubt that it is imperative that we educate our children themselves as to the safe use of the Internet, what our expectations are of them. I would suggest that that is a conversation we are able to have as our children age—our expectations about what they will look at on the Internet, the various aspects with respect to the Internet.

1400

There are experts, such as the Kids' Internet Safety Alliance, with whom I've had the privilege of working and the Minister of Education has had the privilege of working with, who have been funded by the government to the tune of about \$500,000 to develop programs and work with our kids in Ontario to make sure they protect themselves. So that's one aspect. Whether it's KINSA or whether it is Cybertip.ca, those organizations are there to give our children the resources they need to protect themselves when they are accessing information on the Internet.

Our school boards and schools also have a role to play: 66 school boards of 72 in Ontario, I understand, have guidance with respect to the use of computers in libraries, some of which includes screening, and utilizing, in the best way they can, the modern technology.

There is another aspect of protecting our children: collective responsibility, which the member for Cambridge raised early in his discussion. That was with respect to a woman on a computer observing someone beside her searching for information which she found

distasteful and which I think made her feel unsafe. That is the root of many programs in the province, where we've seen women's organizations, mothers' organizations say, "We need to act collectively and make sure that women and children are safe." I think about children in my own community, and my own children, who would be at the library. No matter what you might have taught them about how they can best protect themselves, I don't think there is one of us who would want them to be sitting beside someone who is accessing information in a very public location, in a library, and the librarians felt they could not or did not have the tools to say, "I'm sorry, that's not what you're to be doing here."

This is an important conversation to have. I think the member from Cambridge has brought forward something that is critical. Shelagh Paterson, the executive director of the Ontario Library Association, said that many libraries do put filters on computers in the children's sections, require users to sign terms-of-use agreements and place terminals in highly visible locations.

All of these tools are important to better protect children, but I do not think we can suggest that we have done everything perfectly and there is no more to do. There is, no doubt, more work that needs to be done. We need to examine the technology that exists to give libraries, in particular public libraries and libraries in our schools, the tools that they need and that the experts think are needed to best protect our children.

This work really does, in some ways, tie into the work I've been privileged to do over many years, which is with respect to protecting children from child pornography. One of the things I often talk about is that we can't be bystanders when something is happening that might be harming a child or is harming a child. I would suggest that the member from Cambridge has brought forward this bill, Bill 202, to say that we need to act collectively, we need to not be bystanders and we need to have this important conversation about how we can do a better job of protecting our children in Ontario from pornography in all of its forms, and whether or not we can have that conversation in this place and move that yardstick forward. I think this is an important conversation. I commend him for bringing forward Bill 202 and I look forward to hearing the rest of the debate today.

The Acting Speaker (Mrs. Linda Jeffrey): The Member from Nepean—Carleton.

Ms. Lisa MacLeod: It's an honour to be able to speak to the bill in front of us, Bill 202, An Act to protect our children from pornography. I want to congratulate first my colleague from Cambridge, Gerry Martiniuk, for his work. It takes great courage to put forward a piece of legislation to protect children when there are so many different ideas on whether or not this is freedom of speech or expression. But ultimately, what comes first is obviously child protection, and that's why I chose to speak to this private member's bill. I think it's worth voting for. I think he's got an idea here that will bring Ontario in line with other jurisdictions. Two of the greatest nations in the world outside of Canada have

adopted safety filters in their schools and libraries: the United States of America and Great Britain.

I'm a little disappointed. Two colleagues before me spoke, one about censorship and I think some inaccuracies about filters, and the other—presumably one whom I've often admired as a great protector of children—who can't see how helpful this would be. I hope that partisan politics will not get in the way of passing this bill so that it gets to committee.

I need to tell you why. Child protection in this province is a bit behind. This government, just last year, voted against a very comprehensive bill of mine which was probably the most wide-ranging piece of child protection legislation this province has ever seen. It was voted down. It contained a very important aspect of child protection: the sexualization of children under the age of 16, so that we would have in this province laws and standards that children under the age of 16 would not be placed in advertising or other forms in a sexualized manner. That did not pass.

Now my colleague has come forward with a bill that would make it impossible for people to view this kind of pornographic material near children. He got this idea from a former OPP officer. Not only is he a former OPP officer, but Rob Nickel is also an expert on online pornography. This OPP officer once witnessed a man downloading pornography at a Cambridge library with children sitting nearby. So for those opposite who suggest that this is just a parental issue, I urge them to consider this: If there is a child at a library who is of the age of 12 or 13 or 14 or 15 years old and who's not there with their mom or dad, who know better, and you have an older gentleman or an older woman who has made a decision, at a public library, to view this type of material, what kind of protection are we offering them? What does that say about society? I say that it doesn't say much.

Libraries in the United States have been using Internet filters since the 1990s, due to community pressure and the Children's Internet Protection Act, or CIPA. CIPA is a federal law that requires all computers in a public library to be filtered if that library accepts any federal funds for computers that access the Internet or for costs associated with the connection of the Internet. I can't see why in this province we couldn't enact something similar. It makes a lot of sense. We're funding libraries; we're funding schools. Why can't we make the Internet more safe for my daughter and every other child in this province? That is a question that I have, and it remains unanswered by the governing Liberals.

Again, I hate to say that this is going to be partisan, but by all accounts, it appears that the government is going to stop this bill from making it into committee. And it says something else: It says that we're not doing as much as we possibly can when you have former OPP officers coming out and speaking about what a need we have to do more.

In the United Kingdom, for example, school systems have a regulatory mandate—and I'm glad the Minister of Education is here—called BECTA, and in the United States it is through CIPA.

Internet filtering software is user-friendly. For those who are concerned, particularly those in the NDP, if an adult library patron is operating in those jurisdictions on a filtered computer and wishes the site to be unblocked, they simply have to speak to the head librarian or anybody else that has the authority in that particular library and the patron could request an override code. That could be done here in this province.

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But this is a good bill that my colleague Gerry Martiniuk believes will protect children, it's a bill that I believe will protect children and it's a bill that I urge all members opposite to support. I know that my colleagues in the Progressive Conservative Party will be here with him, because we really take seriously our views on the protection of children.

With that, Madam Speaker, I want to thank you for the opportunity to debate. I look forward to my colleagues on all sides of this Legislature supporting Mr. Martiniuk's bill, and I look forward to working with the other parties so that children are better protected in the province of Ontario.

The Acting Speaker (Mrs. Linda Jeffrey): The member from Beaches—East York.

Mr. Michael Prue: I have listened intently to all the speakers. I must say to my colleague who just spoke that I also listened to the member from Etobicoke, and I don't believe that that is the gist of what she was trying to say. I'm not sure what her position was, because perhaps she is as conflicted on this issue as I myself am.

Interjection.

Mr. Michael Prue: Yes, perhaps.

I fashion myself as a person who believes in civil liberties. I've looked carefully at what the member from Cambridge is attempting to do, and the words trouble me a little. I'm not saying I'm not going to vote for the bill, because I probably will. But some of the things that trouble me here are "technology measures ... that ... block access on the Internet" as well as to "electronic communication, including electronic mail and chat rooms" that "could reasonably be expected to contain any material, including written material, pictures and recordings, that is obscene ... or sexually explicit or that constitutes child pornography...."

Now, some of those I understand very well. But some words, like "could reasonably be expected to contain any material"—as a civil libertarian and a person who is responsible for formulating the laws of the province of Ontario, I have difficulty, because that is not very explicit to me, nor I do understand what that will include.

I don't know about the chat rooms. This perhaps is a bad admission, but I have never myself visited a chat room. I've never felt the need to type in something and communicate with somebody I don't know on any topic, and I don't know why some people insist that this is a harmless and wonderful way of meeting strangers.

In any event, I'm not sure that people in a library visiting chat rooms are going to necessarily involve pornography that is going to influence children, save and

except if they were reading the explicit chat material coming across, and I don't know why they would be sitting there reading correspondence between two adults.

It is the pictures that trouble me the most. I think that where Mr. Martiniuk's bill may good is because the pictures are easily understood. Pictures are broad and graphic, and you can see them just as easily as watching television, whereas to read lines and lines of chat would be somewhat difficult.

I'm also a little conflicted because I think what his policy says is a good policy, but I wonder how it's going to work. I have a computer in my office, and I use it. But I would be the first to admit that I am not in the same category as Bill Gates or his many minions and myrmidons who develop all these programs and who are able to know how to access and build them and what to put into them. I don't know how the filters could possibly work.

I listened to my colleague from Parkdale—High Park, and she's probably right: When you type in a word like "Middlesex" or "Sussex," is that going to be filtered? I'm worried about that. I'm worried about whether you're going to have a filter that is much too blunt an instrument.

Conversely—and I told you that I feel conflicted here—I am worried because I think that every school board and library must have a policy in place that determines which minors or classes of minors are authorized to use the school's computers and what Internet sites are permitted. I don't think that this, in the short term, is a bad policy. The computers belong to the schools and the libraries—the computers, in fact, belong to the public—and there needs to be some kind of policy in place that restricts what could be seen on them—not just by children but by adults and everyone alike.

He also suggests that the policy must comply with the regulations in the act and monitor the use of computers by minors. I agree with that. He also says that the policy must be posted in a conspicuous place in the school where the library is. I think that is absolutely imperative, that the policy be put up either beside the computers themselves or in close proximity to the computers so that everyone knows what the policy is, so that if and when a person comes in and is using the computers for an obscene purpose, for looking at child pornography or any other illegal act, it is clear that the rules are in front and the person cannot claim not knowing, and the librarian can call the police or the authorities if necessary or come simply and shut off the machine. I think that that needs to happen. So I commend that portion of the bill.

In the last few seconds, as I said, I feel conflicted. In the end, though, I do believe that I'm going to vote for the bill—I want to hear some more debate—because I think it's necessary to send this to second reading. This is not a bill that is very easy. This is not a bill that's going to pass, and it's not a bill—it's going to have to be a bill in which the language is tightened to an extent that everyone knows the rules and responsibilities. I can't just simply say that I agree that you can't have e-mail and chat rooms that could reasonably be expected to contain

any material, including written material. That just goes beyond. So I'm asking all of the members to consider this to be a serious idea, to support the bill, and to send it to second reading, understanding full well that it's going to need a lot of work.

The Acting Speaker (Mrs. Linda Jeffrey): Member from London—Fanshawe.

Mr. Khalil Ramal: I am privileged and honoured to stand up in my place to speak on the bill brought by the member from Cambridge, Bill 202, An Act to protect our children from pornography.

I listened to my colleague the member from Etobicoke—Lakeshore, and I think she outlined the government's position on this matter. I think she's a great supporter of protection for kids and families in this province. She is also a great advocate for many, many kids. Since she is a mother of two, I believe she has a great interest in defending the children in this province.

I listened to the member from Cambridge speaking as he outlined his policy, his intentions, his direction and his aim for this bill. I think it's a very good initiative. I think it brings to this House a very important issue: the protection of children in this province, especially when they go to the library and turn on the computer, see websites, do searches on the Internet and many different technologies.

I know it's very difficult—and I listened to the member from Beaches—East York talking about the difficulty of this issue, because, as you know, the technology is very advanced. Right now, you don't have to go to a library to go on the computer or the Internet. Now if you buy an iPod, you can walk on the streets and catch any website on the Internet. I was shocked the other day—I have a son who's 14 years old. I did my best to have all the filters in place in order to make sure he sleeps before me and to have whatever he watches monitored by me and that the computer is also shut off before I go to sleep, and many different ways and regulations that I put in place to create some kind of protection. I was shocked. He told me, "You know what? I go to my bedroom and I play with my iPod. I can connect my Internet through the Internet from the neighbour," because some neighbours don't secure their Internet. And I'm thinking that they can log in and they can see whatever website they want on the Internet. He said, "You know, whatever you do, it's not going to work."

The most important thing, I'm convinced, is not to go on those sites. It's not good for me and not good for anyone. That's the most important thing.

I listened to my colleague from Etobicoke—Lakeshore and many other colleagues speak before me about education being the most important thing for all of us in this province. We have to start working with families; we have to start working with everyone.

I know the member from Cambridge spoke about the issues of London and when that 54-year-old lady went to the library—actually, she's my constituent, and she has e-mailed me many different times. I know her very well, and she said to me, "You know what? I can go to the

library. I am an adult." She listened to the debate that was going on in London for many different days.

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I know the chair of the library—he was a member of this House and is a city councillor right now; he's a great, honourable lawyer—David Winninger. Many people in this place know him. He's the chair of the library board. I listened to him extensively when he was talking about the importance of this issue, but he was puzzled about how we can filter the system. He does not know how, technically, legally and many different aspects. But the most important thing he said is that we should make sure our kids, when they go to the library, are protected—enough staff to go around and see what people are doing.

That lady, as I mentioned, has been mentioned by Maclean's magazine. She sent me an e-mail. She was walking in the library and she saw a 71-year-old man. He'd opened a website and was watching pornography. She was disgusted and she was uncomfortable. It's not just about kids; it's about all of us.

I think it's very important for all of us to find a way to create some kind of protection for our children in the province of Ontario, whatever it takes—whether we go to committee, whether we create a different technology to create some kind of protection for our children on this important issue. Yes, it is important.

I want to commend the member from Cambridge. I want to commend also the member from Etobicoke—Lakeshore and all the members from the third party—Beaches—East York and Parkdale—High Park—who spoke on the issue, because this issue is important. It's not just one side's issue—a Conservative issue, a NDP issue, a Liberal issue; it's a community issue. It's a provincial issue. It's our duty and responsibility in this province to find a way to protect our children, to see how we can nurture our children in Ontario and guide them in the right path.

As has been mentioned before, technology is advancing. You can get a BlackBerry and many different tools and technologies on which our children are smarter—far smarter—than us. They know better than us, by far.

So I am supporting this initiative, supporting this bill. Yes, I do support the bill. Am I convinced these are the only tools we can use? No. But as the member from Beaches—East York mentioned, it should be open for debate. It should be open for different ideas, for stakeholders. Technical people maybe will come to this place and advise us on how we can implement it.

I want to commend the Minister of Education, who instructed all the school boards. Of 72 boards, 66 have filter systems in their schools, in their libraries. Also, many libraries in the province of Ontario use the filter system. But is the filter system good enough? No, it's not good enough. Is there enough safe technology in place to filter all the systems? No.

Some people want open computers. They want the ability to surf the net and go to any website they want because that's what a library is about—for knowledge

and search and research. But our obligation and duty as elected officials in this place is to make sure our children live in a safe environment; that when they go to school, they have a safe computer to go on; that when they go to the library, they can access safe websites and use the Internet in a professional and safe manner, only for education, not to divert them from the right direction.

I think I'm going to support the member from Cambridge. It's a good bill to create awareness in this province. I want to commend him and thank him for bringing it to this place to be discussed and debated.

The Acting Speaker (Mrs. Linda Jeffrey): The member from Simcoe North.

Mr. Garfield Dunlop: It's a pleasure to rise this afternoon and speak on Bill 202, An Act to protect our children from pornography.

First of all, I want to congratulate the member from Cambridge, my colleague Gerry Martiniuk, for bringing this bill forward. I think, as we look at this bill in the House and hopefully at committee, we'll recognize the fact that he's actually kind of doing the job of the Minister of Community Safety and Correctional Services.

I looked at comments made just this past week, on September 25, by the OPP commissioner, Julian Fantino. He said, "Government legislation shouldn't be necessary to prompt public libraries to install computer software to prevent downloading of porn. It should just be automatic." You know what? I think that, as some of the members in this House have mentioned here today, there may remain unanswered questions or some concerns about portions of this bill or exactly what it means, but that's why we have committee. That's why we go to committee, like—I point to the Speaker for a moment—your sprinkler bill that you've had on a number of occasions: a very, very important bill as well. That is why we would like to see this bill carried forward.

I think it's good legislation. The reality is, he's looking at schools and libraries having a filter to protect our young people from seeing porn. Yes, we know there are other options, there are other alternatives to how they can see porn, but the reality is, I think it's good community leadership on behalf of the government and on behalf of this House to at least make a good attempt at eliminating porn from the eyes of young people.

As you know, young people grow up very, very quickly. They're born one day and the next day they're off to elementary school, and it seems like no time until they're off to secondary school. They do grow up quickly and they see sexuality very, very early—much earlier today than they might have in past generations. But I can tell you that I think we have a responsibility to not make it any faster for them.

I can tell you that I've had an opportunity in the past to work with some of the members of Project P, the Ontario Provincial Police Project P. They are located here in Toronto. I don't want to give the exact location away, but I visited and talked to the officers who work in that area. Child pornography in itself is something that is disgusting and beyond belief. Having a tour of the organ-

ization at one time, I actually got to see some of the clips of what actually happens on a scale of one to 10. And you know what? The exposure is absolutely incredible—to think how some of these perverted people and perverted minds deal with young people. We have a moral obligation to take legislation like this, good legislation like Bill 202, and advance it to the next stage, and that would mean this House passing Bill 202 today and allowing it to get on to committee.

You look in terms of legislation. The minister just this week introduced a bill as a result of the cabinet meeting with the members of the Quebec cabinet. It was the cross-border policing issue, and we're going to be debating that now. Obviously, that's an important topic, and we understand that. But this is just as important. Having children view porn—the pornography industry and child pornography in itself are running rampant throughout the world because of the Internet. We look at legislation, and I think that the legislation that Mr. Martiniuk has introduced today, Bill 202, is just as important as the legislation introduced by the minister on cross-border policing. It's just as important for the families of our communities and for the citizens of this province.

I look forward to seeing this bill passed today. I look forward to the opportunity to debate this and to get a lot of opportunity for people across the province to give their different views. We've heard already that there are some conflicting ideas around some of the content of the legislation. However, we have a responsibility to the citizens to make sure that we protect our children and their children and set a solid example for future generations of citizens of the province of Ontario and how we protect their children as well.

Thank you very much. I look forward to supporting this bill.

The Acting Speaker (Mrs. Linda Jeffrey): Seeing no further speakers, the member from Cambridge has two minutes to reply.

Mr. Gerry Martiniuk: I'd like to thank the members from Etobicoke-Lakeshore, Parkdale-High Park, London-Fanshawe, Nepean-Carleton, Simcoe North and Beaches-East York for their comments.

If someone had told me 20 years ago that I would be standing here attempting to censor anyone, I would have been surprised. However, there is a distinction between censorship where adults are involved, which I am totally opposed to, and censorship where children are in fact the persons who are affected. That is not censorship; surely, that is giving comfort and guidance to our young ones, who are not able to cope for themselves. It isn't that complicated.

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We, in our region, are presently offering filtering systems very effectively at the Kitchener library board—all of Kitchener—the Waterloo libraries, the Waterloo Catholic school system and the Waterloo public school system. They are all effectively running filtering systems. I have heard no complaints, but if there are any, that is exactly what a committee should be doing.

But whatever happens here, I urge parents, grandparents, friends and people who are just concerned for our children and their future to approach your library, approach your municipality, approach your school board and determine whether or not there are in fact safeguards in place by filtering in those institutions and urge them to adopt them.

SMALL BUSINESS

Mrs. Julia Munro: I move that, in the opinion of this House, the McGuinty government has failed to help Ontario small businesses by reducing the financial and time burden of government regulation; and therefore, the government should re-establish the Red Tape Commission, which it abolished; and, that the commission must publicly demonstrate that it has worked with small business leaders to reduce both the number of regulations and the time and expense required of Ontario's businesses and citizens in complying with government regulation.

The Acting Speaker (Mrs. Linda Jeffrey): Pursuant to standing order 98, the member has 12 minutes for her presentation.

Mrs. Julia Munro: Every week in my riding, I hear from constituents frustrated by the amount of red tape government forces them to go through. Small businesses and ordinary citizens feel as if they are constantly forced to jump through hoops to satisfy some government official at Queen's Park or in Ottawa. I talk to doctors who cannot get the Ministry of Health to approve a family health team in my hometown of Georgina, even though it is an underserved area. I talk to people out of work who are trying to get into training programs such as Second Career, but who cannot.

In August, I learned that the ladies at the Knox United Church in Sutton were told they have to bake all their pies for bake sales in the kitchen at the church. They cannot bring them from home. For some reason, government does not trust them to keep their baking safe, even though they may have baked for their own families for many years. Business owners tell me of all the time they have to spend filling out government paperwork instead of building their companies and creating jobs. It doesn't seem to matter if you are a citizen looking for help or if you are a business owner trying to make a living; all of your interactions with government are mired in red tape.

The Canadian Federation of Independent Business has surveyed its members on the cost of red tape. A presentation they made to this House in 2007 identified the burden of government regulation as a priority for business of 67%, second only to the total tax burden at 78%. Government members should remember this if they claim that the new sales tax will reduce the regulatory burden. The only item that worries small business more than overregulation is higher taxes. The aim should be to reduce both of these.

The Canadian Federation of Independent Business stated in the 2007 presentation that this government

makes no attempt to control red tape, either the size of the regulatory workload or the regulatory cost government imposes on small business. The CFIB said that additional regulation pours out uncontrollably from all levels of government. They also say that government regulation now far exceeds small business's capacity to cope and government's capacity to administer, communicate or enforce.

CFIB's 2005 national survey on regulation provided some stark numbers about the cost of meeting government regulation on business owners:

- 79% of owners of firms with four or fewer employees and 67% of those with six to 19 employees handled it themselves;

- 67% reported it added significant stress to their lives;

- 62% said it takes significant time away from family and friends.

- 52% said they spent a significant amount of time on regulation outside normal working hours;

- 54% said it impeded their ability to compete with larger firms; and

- 63% said it significantly reduced their business's productivity.

The study also asked small businesses what they would do if regulatory costs were reduced, and 54% said they would invest in equipment or expansion; 46% said they would pay down debt; and 28% would hire more employees.

Some of the specific examples of red tape the CFIB gives are just startling. They tell of a new poster issued by the Ministry of Labour outlining employee rights and responsibilities. The ministry added one sentence to it in 2006 and issued a press release that no media printed. Sixty days later, their inspectors started giving out \$350 fines to any business that hadn't replaced the old poster with the one line changed. How does this contribute to safety or security for anyone? Shouldn't the government have some responsibility to inform businesses that their rules have changed? Is this poster even necessary?

The CFIB also gives a great example from the Workplace Safety and Insurance Board system. The owner of a masonry business bought planks that a workers' compensation inspector said were mandatory. These are press-board planks with a finish. Unfortunately, the finish repels water, making them slippery. The owner ended up slipping on a plank, cutting his hand and requiring 17 stitches, his first injury in 30 years.

The CFIB members also had some ideas on how to make the system better:

- 81% said to simplify existing regulations;

- 72% said to reduce the total number of regulations;

- 58% said government needs to clearly communicate new regulations to business; and

- 57% said to improve government customer service.

Now, don't get me wrong: I know there are many areas where regulation is vital and necessary. Protecting health, safety and security has to be done, and it has to be government that sets the rules. But we do not need a rule

for everything. Not every occurrence in life is a problem seeking a solution.

I think a good slogan is the one used by the pro-free-market Free Democratic Party in Germany: "As much government as necessary; as little government as possible." Both of these aims are important, so we should treat regulation as a necessary evil. The freedom of citizens to do as they please with their lives should be the default position, and regulation should only be used if there is no other option.

What has this government done to eliminate regulation? At first it would appear that the government sees reducing regulations as important. After all, they did issue a press release in March of this year stating that they would cut regulations by 25% over two years. That was seven months ago. In the spring they did nothing, in the summer they did nothing, and a few days into the fall, they have done nothing. Perhaps the government speaker to this resolution will give us a timetable of action. Maybe we will be told when we will see something happen.

If we want some examples of what can be done, we need only look to British Columbia. BC is a prime example of a provincial government offering action, not just words. The BC government has removed more than 151,000 needless regulations since 2001, a reduction of over 42%. The province is committed to maintaining a net zero increase in regulatory requirements.

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The BC government signed a trade, investment and labour mobility agreement so that skilled workers regulated in both BC and Alberta can freely practise their occupations in both places without added regulatory requirements like material exams or training. It also streamlined business registration and reporting requirements so that businesses registering in one province will automatically be recognized by the other.

The Alberta government has also given us a model. It established its Regulatory Review Secretariat with the following principles: necessity, effectiveness, proportionality, transparency, accountability and consistency. This means that every department must obtain a compliance statement from the secretariat before they can pass any regulation. There is no reason Ontario couldn't have a regulatory review process with equal strength to determine if any proposed regulation is necessary and workable.

When the PC government was in office, we had a Red Tape Commission, which advised the government on reducing regulations and making government work better. The commission coordinated the passage of 15 red-tape-reduction and government-efficiency acts. These acts helped repeal over 80 outdated statutes and amended well over 200.

Let's contrast this with the Liberal record. The 2003 Ontario Liberal plan for economic growth said, "We will convert the Red Tape Commission to make it an agency specifically devoted to meeting the needs of small business." The House should know that the Liberals did

no such thing. The McGuinty government abolished the commission in 2004, and the only thing they have done to fight red tape in the five years since is to issue a press release in March—one press release seven months ago; since then, zero action.

It is time for this government to take some action—any action—to help small businesses that are constantly held up by red tape.

This is what you should do: Re-establish the Red Tape Commission to review regulations and make cuts. Set up a process to review all new necessary regulations to see if they are necessary. And when you cut regulations, make sure that you do not just cut the number of regulations; cut the burden on businesses. Most importantly, ask for the views of Ontario's small businesses at every stage of the process.

Just like value-for-money auditing principles, Ontarians deserve to know the efficacy of regulations. For the sake of Ontario's small businesses and citizens, I hope you take action to reduce red tape. If you do not, businesses will have to wait two years for Tim Hudak's PC government to cut the red tape.

The Acting Speaker (Mrs. Linda Jeffrey): The member from Parkdale–High Park.

Ms. Cheri DiNovo: I listened with great interest to my friend from York–Simcoe and her elucidation of the state of the union as far as small business is concerned in the province of Ontario. It's quite an Orwellian little adventure, and surely it is.

Let's face the facts: 90% of all new jobs come through small business. Small business is a way, in a sense, out of the recession—one of the ways, anyway. And yet we have a government—and I couldn't agree with her more. The beginning of her motion says, "That, in the opinion of this House, the McGuinty government has failed to help Ontario small businesses." No doubt it has failed to help Ontario's small businesses. Ask any small business proprietor on the advent of the HST, the so-called harmonized sales tax, what they think about that. My friend from Beaches–East York and I will have lots of fun a little later this afternoon talking about the thousands of responses we've received anti-HST from small business.

So, certainly small business isn't happy. Small business is suffering right now. There's no doubt. Any member here knows if they speak to their BIA, if they speak to members in their business community in their local neighbourhood, they will hear the tales of woe. One of those tales of woe is exactly what Ms. Munro was talking about, and that is that small business, unlike big business—and the McGuinty government is a government, let's face it, of big business—doesn't have the people power to set aside a person to do nothing but fill out forms. Big business does. That's the difference, and that's where regulations and red tape really hurt the small proprietor.

Other things hurt the small proprietor too, lots of other things. For one thing, we as a party, of course, have put forward a motion to reform the business education tax,

which is a provincial tax that was supported by TABIA, which represents over 300,000 small businesses. What we asked there was, why is it that a 905 business pays far less for an education tax than a 416 business? There's no rhyme or reason to it. We all have the same educational system. They wanted that. We put it forward as a motion; it hasn't happened.

Certainly in other regards, we've got a situation in Ontario where, for example, the McGuinty government favours big pharmaceutical companies over the little local pharmacists. The little local pharmacists can't get WSIB business under current regulations, whereas the Shoppers Drug Marts can. One has to look at who supports which political party. He who pays the piper calls the tune. This is very clearly what's going on here.

It's the same with small butchers. We had the case here of Karl's butcher shop, where some of their advocates came. It closed after 40 years of business because of a government regulation that was going to cost them \$200,000. The Toronto Board of Health had passed them every single year, saying they were fine. Were they responsible for the listeria outbreak? Not at all. It was Maple Leaf Foods, a big meat processing plant. This was a regulation brought in by the McGuinty government in favour of a big business over and against a small business. We fought again on behalf of the small business person to see if we could get some justice. No justice was to be had. Karl's went out of business, and one by one your little ethnic sausage maker or the butcher on your street corner are going out of business. Why? Because big business is going to take over, and the only time you're going to see meat is going to be in those plastic packages in the big dispensers, the big grocery stores, not the little guy.

What else can this government do or should this government be doing to help small business?

Well, one thing: Back in the day, back in the early 1990s, there was a grant program. Whoa. If you wanted to start a small business in the midst of a recession, which is when people who are laid off want to start small businesses—instead of having them on EI, instead of having them on social assistance, why not give them some money straight up? If they have a good idea and they can't get money from the bank, give them some money to start their own business. We did that as government. We gave them a grant. If we brought back that grant program to those with great ideas for small businesses, that again would be helping.

It's interesting: With the OLG scandal, who gets blamed? It's the small retailer. It's not the fat cats at OLG who have ridiculous expenses. It's the small retailer who got blamed for that one yet again by this government.

So I couldn't agree more that in the opinion of this House, the McGuinty government has failed to help Ontario small businesses.

Where I might have some slight disagreement with my friend is the answer to the problem, by bringing back the Red Tape Commission. I don't know. I have yet to be

convinced. I'll withhold comment on that. But certainly I can agree that this is not the government of small business. Ask any small business owner and you'll hear that.

Another issue that I'll just point out—I want to leave some time for my colleague from Beaches–East York—is an interesting one, and that is that when government decides to plow ahead with maybe some ill-considered adventures like putting 450 diesel trains through the neighbourhoods of many Toronto ridings instead of clean electric trains, what they fail to consider is the effect on all the small businesses that those trains are going to be running behind. Certainly we've had the pile-driving incident in Parkdale–High Park. Interestingly, there's a case that has gone to the Supreme Court where small business actually sued the government over an issue like that and won because it cost them business. They were never consulted and it cost them business, because you can't do business if there's a pile driver outside your door going eight hours a day or if there are 450 diesel trains running through your backyard. That affects your small business.

1450

Again, wouldn't it be nice if this government were open and amenable, at the time when we as Ontarians need it most, to small business, the creator of 90% of the jobs in Ontario? Yes, it would be.

I'm going to leave some time for my friend to talk about some of the other implications of this government's lack of action on the small business file.

The Acting Speaker (Mrs. Linda Jeffrey): The member from London–Fanshawe.

Mr. Khalil Ramal: I'm honoured and privileged to stand up and speak and say a couple words in comment on the speech from the member from York–Simcoe, especially when she brought motion 108 calling the government to re-establish the Red Tape Commission.

I came from a small-business background, and I did work in the industry for almost two decades. I had a lot of experience with many different sets of rules and regulations in Ontario. It's very important, I think, for all small businesses, to help them, to eliminate the bureaucratic levels and also assist them in many different ways. I think by harmonizing the taxes, bringing the provincial and federal tax together, we'll save them more than \$500 million every year—all the businesses across the province of Ontario.

I agree with the member on one issue: Yes, small businesses support our economy. They do more than 90% of our economy, and almost 317,000 small businesses across this province perform on a daily basis to support our economy. That's why our government eliminated the surtax for many of those companies and also established more than 57 centres across the province that work provincially and with municipalities to help entrepreneurial people to establish a business. I know one centre in my riding, London–Fanshawe, and that centre plays a pivotal role in our community to assist small business people to renovate and relaunch their businesses, to try to

make profits and sustain their ability to maintain in the marketplace. Also, if anyone has an idea, has some money to invest, they go to this small business centre, and that business centre helps them to make a plan to establish their business. Beside my office, a restaurant opened as a result of this business centre in London.

Also, we have 12 regional centres in the province of Ontario to link all the centres together, to help them to reach further and see how we can help them, in turn, sustain their ability to maintain, to open the door in Ontario, to make a profit and also to reach to other centres, link to different provinces or link to outside the country. All these initiatives were put by our government in order to support those small businesses.

Besides that, in the recent budget, we eliminated almost 18% from the corporate tax to allow those businesses to be able to stay in the market. Are they facing difficult times? Yes.

I listened to the member from Parkdale–High Park talk about small companies closing down. I'm not sure if she's asking to eliminate all regulation and safety which was put in place to protect the people. It's another issue.

I know the member from York–Simcoe was in a government, when she was in power back then, that eliminated all the food inspectors and meat inspectors, all these inspectors—that's why we had a lot of disasters in Aylmer, in our region—and also water inspectors, which caused a lot of damage to our province.

I think it's important to keep the door open and to talk about these issues. I believe strongly that our small businesses are important to keep in Ontario, that it's important to give them whatever tools and assistance they need in order to be prosperous and able to maintain and sustain the ability to pay the taxes which give us the ability to govern as a government, to be able to support our health care, our education, our infrastructure.

I'm looking forward to hearing much debate on this issue because it's a very important issue.

The Acting Speaker (Mrs. Linda Jeffrey): The member from Parry Sound–Muskoka.

Mr. Norm Miller: I'm pleased to have an opportunity to speak to the resolution brought forward by my colleague from York–Simcoe, Julia Munro, to re-establish the Red Tape Commission. In the few minutes I have available, I will try to get at least one example in, but I'm certainly very familiar with the issue that she has raised. In fact, I introduced a private member's bill on the topic last fall. That bill passed second reading and was referred to committee.

As the past small business critic, I've heard from a lot of business owners who are frustrated by the business climate in Ontario. As a past business owner, I'm acutely aware of the challenges that face operators, particularly in a business environment as hostile as we've seen in Ontario.

Businesses have been suffocating under the weight of regulations and red tape in this province. The Canadian Federation of Independent Business reports that two out of three businesses say that the provincial red tape and

regulations have increased in recent years. I think you just need to look at the recent huge drop we've seen in corporate tax revenues to understand that businesses have not been thriving in Ontario. We fell harder and faster than other provinces during this recession. Why?

I'd like to just give one example—I've got lots but not enough time to give them, so one example: A construction operator writes to me about class A road testing and the requirements that discriminate against small companies like his. Instead of allowing drivers to be tested using the equipment they use on a daily basis and that they own, he's forced to rent tractor-trailer units with fifth wheels, coupling and trailers. They may even need to pay for driving instruction before the units can be rented. The costs can come in between \$2,000 and \$5,000. He asks, "Why are we subjected to such costs?" That's one example. I could give you reams and reams of examples.

I would just say this: The Red Tape Commission was working. I sat on it for a short time. It helps make simpler, smarter rules for business. I remember sitting on the Red Tape Commission and bringing in 30 letters of rejection to do with a northern health travel grant, where the government was sending out a letter of rejection for every trip in the northern health travel grant, and bringing that to the commission to try to get them to come up with a better system. I don't know whether that has happened yet.

I think business needs simpler rules and the government needs to communicate them better. We need an attitude change in the civil service, where civil servants will actually help business to succeed.

Small business is the engine of the economy in this province. They are the job creators in this province. We need them to be successful. Currently, under this government, they are being suffocated by regulations. It's tough for small business.

With that, I will leave time for my other colleagues who I know wish to speak to this resolution.

The Acting Speaker (Mrs. Linda Jeffrey): Any other speakers? Minister of Government Services.

Hon. Harinder S. Takhar: I was the Minister of Small Business for three years, so I think I have a fairly good idea about small business and its contribution to our province. They are in fact the engine of this province: 97% of all businesses fall into this category. Also, \$250 billion worth of activity is generated by small businesses. We are very much aware that 50%-plus of jobs are created by small businesses, and most other new jobs are created by small businesses. That's why we moved in a very systematic way to reduce the burden on small business.

I want to give a couple of examples. My ministry was responsible for reduction of the paperwork in the government. In the very first year, we worked on all large ministries and we reduced the paperwork by 25% in the ministries. In the second year, we worked with the rest of the ministries and we reduced the paperwork by 25%. So that has been an incredible achievement in its own right, and I want to tell you that this is important.

The other thing I want to tell you is that we also moved ahead with automating the business forms so that people can do it more easily and they don't have to repeat the information again and again.

Our government is moving ahead with assigning a single business number to each business so it can be tracked properly.

There are two-for-one regulations: Every minister has been instructed by the Premier that if you want to bring in one regulation, you must bring two to eliminate.

My colleague talked about the collection of the taxes. Actually, we have worked with the federal government so that we can collect the taxes together. That reduces the burdens on small business.

Harmonization of provincial and federal sales tax is another step in the right direction. That will also save our businesses an incredible amount of money and will make them more and more competitive.

I want to talk to you about the enterprise centres, which the member for London-Fanshawe talked about. These enterprise centres are out there to help small businesses so that small businesses can succeed and become more successful.

We are not only doing all these things—cutting the business forms, cutting the rules and regulations for small business—but we are in fact making it easier for small business to sell to the government. That has never been done before.

1500

The issue here isn't to create more red tape, which also puts more burdens or rules and regulations on the small businesses; the issue is to work with the small businesses, make it easier for them to sell to the government, make it easier for them to be successful in the community. We actually have programs like the Smart program that have been very successful for the small business community. We also have other programs to assist them if they want to export to other countries where they have not exported before with the Ontario Chamber of Commerce. All those programs were new programs that we introduced and made very successful.

Interjection.

Hon. Harinder S. Takhar: I know my colleague on the other side doesn't want to hear of all the good programs that we have instituted. He wants to interrupt me. That he can do. But I want to tell you what our government has done consistently and moved consistently to help the small businesses succeed. As well, our government was the first government to actually create the Ministry of Small Business.

The Acting Speaker (Mrs. Linda Jeffrey): The member from Oxford.

Mr. Ernie Hardeman: I'm pleased to rise in support of the resolution from the member from York-Simcoe, my seatmate here, a suggestion that the government bring back the Red Tape Commission.

We recognize that the government said that they wanted to get rid of 25% of regulations in order to support small business in the province of Ontario, yet

they have absolutely nothing in place to set the benchmark by or in fact to have anyone look at it to make sure that each individual ministry is doing it or that the government in general is doing it.

It's not just the regulations presently in place that are inhibiting small businesses from doing business. With the new legislation that the government brings in, there is no one on the government side looking at that legislation to see what impact that legislation will have on small business and, in fact, all business in the province. Every action has a reaction. There are always negatives in the regulatory powers that each bill gives the minister, and there are things that will inhibit the ability of people to do business.

I have a letter that I received today. It was written to the Honourable Tim Hudak, leader of our party. It's on behalf of the Archer Daniels Midland Co., which is one of the largest agri-food businesses in the province of Ontario.

"We are writing to bring to your attention recently proposed draft regulations developed by the Ontario Ministry of the Environment (MOE) under the Toxics Reduction Act." One would think that that would not have much to do with food processing in the province.

It goes on: "The regulation would capture many food ingredients and products, and require that they be reported under the act.

"For example, the flour produced in our Ontario grain milling facilities would be considered a form of non-specific particulate matter under the regulations and would have to be reported in a public registry of toxic emissions associated with the act." Have you any idea of the impact that would have on the selling of our flour, if it's reported on the list of toxic materials in our province?

"Many other foods and food ingredients, including chocolate, cocoa, sugar, starch, baking ingredients, cereal grains, malted barley, rice, coffee, and tea would also be treated as toxic substances under the regulations. The regulations would also apply to animal feed ingredients which are by-products of grain and oilseed processing for food, such as canola, soybean and wheat grain." Can you imagine the impact of that?

"Foods are clearly not the intended focus of the act—foods are not toxic. The simple solution is to exempt food and feed from the regulations or to exempt facilities that produce foods and animal feed. In other words, the regulations should have the common sense not to include food with the toxic substances the act was designed to address."

That's the reason it's so important that we have this resolution that came forward today, that we have that Red Tape Commission in place, so this bill would be reviewed to make sure this regulation doesn't come into play and we don't start declaring the best food in the world, produced in this province, and putting it on the list of toxic materials. I just don't think that's acceptable. That's why we should all support this resolution today, so we can implement that and protect our food industry.

The Acting Speaker (Mrs. Linda Jeffrey): The member from Beaches-East York.

Mr. Michael Prue: I let my turn go around the last time because I was very anxious and I could see that the Minister of Small Business was anxious to speak. I wanted to hear a defence of the government, or at least an explanation from some of the government members as to why they were or were not going to vote for this bill. Sadly, I've now heard from two of them and I haven't heard a single rational reason given either to support or not support the bill.

Both of the members who spoke talked, I think, in glowing terms in their own minds about how much this government has done for business and the business experience in the province of Ontario, but nothing about whether or not the red tape idea is a good idea or nothing in defence of having abolished the Red Tape Commission during this term of government. That's what I was waiting to hear, and I still haven't heard it. I'm hoping that maybe the next one will stand up and say whether they think it's a good idea or a bad idea, or defend why it was abolished in the first place. Maybe somebody will do that. I don't know where the government stands on the issue.

Quite frankly, the Red Tape Commission was an idea of the Harris government back some many years ago. There was perhaps some merit to that position at that time, because there was a lot of government regulation that was superfluous. There were a lot of things that small business complained about that were done away with, some to good effect and some to bad effect. But I really have to question, and want to hear somebody explain to me in detail how, and what regulations. My friend next to me here from—

Mr. Ernie Hardeman: Oxford.

Mr. Michael Prue: —Oxford did explain about animal feed and food products, and that's a rational thing to say. I can understand those terms of reasoning and that the red tape around those might be taken away. I need to hear about other red tape scenarios that will in fact help business, because I don't believe we're doing enough to help business in this province. Quite frankly, we need to be doing far more.

Today I listened to my colleague from Kenora—Rainy River stand up and ask a very simple question that I think is on a great many people's minds; that is, what is going to happen with the proposed free trade deal that is being inked or being signed or being contemplated as I stand here speaking? We know that the United States went very protectionist, and we know that a great deal of our exports to the United States were put at risk. At the same time, if a deal is negotiated, it may put at risk something that many Canadians, Ontarians and small-town Ontarians hold very dear; that is, to be able to use tax monies to hire local businesses and put local people to work. I know that if you go into northern Ontario—the mayor of Smooth Rock Falls was here yesterday—any monies they expend, they would like to expend on businesses and services in adjacent areas, so that they can keep their economy moving and growing.

When my colleague from Kenora—Rainy River stood up and asked the question, there was no answer. I don't

know what the Ontario government's position is on this or just about any other economic development. I certainly know that the HST is not going to create jobs. How are you going to create them? If we're not going to protect Ontario jobs and we're going to freer trade, then say so and say how you think that is going to create some jobs.

You've got other things that can be done and are simply not being done. If you're not going with the buy-Ontario program, tell us where you're going to buy goods and services. Is it the intent of the Ontario government to go to the cheapest manufacturer or to a freer trade policy with the United States—is that what the intent is—and to sell our raw goods, which Canada has been doing for generations, and you're happy with that? Is Ontario going to look at a pro-jobs, pro-investment tax regime? It's all well and good for this government to talk, and I heard my friend from London—Fanshawe talk about reducing the taxes on corporations. Yes, but when you reduce taxes on corporations, it is only corporations that make a profit that can be taxed. If you're not making a profit, or even if you're indeed making a small profit and have a good accountant, you don't pay any tax in the first place, so it doesn't matter whether you reduce it or don't reduce it.

The Minister of Finance was at great difficulty trying to explain this week how corporate taxes had gone so far down without any of these things being implemented. The amount of corporate taxes and the value that Ontarians are getting have been reduced significantly over the last six months or a year. I'm not sure how this is going to help, and I'm asking the government members, when it's their turn to stand up, to please explain two things to me: one, why you eliminated the red tape program in the first place, and secondly, whether you're in favour of bringing it back, so that I can understand your position.

The Acting Speaker (Mrs. Linda Jeffrey): The member for Mississauga—Streetsville.

Mr. Bob Delaney: It is a pleasure to stand and to address the resolution brought forth by my colleague from York—Simcoe, a very thoughtful member who has brought forth what I consider to be a well-meaning resolution.

1510

I'd like to parse this resolution into its operative parts. Part number one: "reducing the financial and time burden of government regulation." Who can quarrel with that? Part number two: "publicly demonstrate that" Ontario "has worked with small business leaders." Who can quarrel with that? Part number three: "re-establish the Red Tape Commission." I have a problem with that. Part number four: an assertion, which I do believe to be incorrect, that Ontario has failed to help small businesses. So let's take it one at a time.

My colleague from Beaches—East York asks: "What replaces the Red Tape Commission?" Here's the answer: the Open for Business initiative. Ontario has, some time ago, embarked on a three-year initiative to create faster, smarter, more streamlined government by—and here we go—reducing the regulatory burden in Ontario by 25%. If you're a minister, as Minister Takhar is, you know that

before you can bring out new regulations, you have got to find, either in your ministry or in other ministries, more regulations to cut or reduce before you bring out any other. Consequently, the total burden of regulations is going down and will continue to go down.

We have also begun to build a foundation for improving services to business that protects the public interest, fosters competitiveness—and I'll talk more about that—and also welcomes new businesses to the province. What is not at issue here is that Ontario has aggressively cut our taxes and enacted measures to ensure that Ontario is the single most competitive place in all of North America to start a business, to grow a business and to relocate a business. No one is quarrelling with that.

Let's talk now a little bit about the regulatory registry. This is a one-stop website. It makes it easier for businesses to find out about existing and proposed government of Ontario regulatory initiatives that may affect them and to learn about regulations that have recently been approved.

I cannot see the reason or the sense in creating red tape, which would be the Red Tape Commission, to do what already exists, so let's just set that aside. It already exists; it's called the Open for Business initiative. It does the things that the member has asked for, and it will continue to do the things that the member has asked for.

Let's address the second part, where she says, "demonstrate that" Ontario "has worked with small business leaders." Okay, there are 57 small business enterprise centres to help entrepreneurs with start-ups and with growing businesses—57. Demonstrated? Done. Twelve regional offices that provide direct consulting services to high-performing small and medium businesses across southern Ontario—done.

How about this one: the Rural Connections broadband program. If you want to operate on the web, you've got to be able to have a decent broadband connection, so Ontario has a \$40-million, five-year initiative—which, by the way, is led by the Ministry of Agriculture—which is already supporting 18 municipal projects, providing broadband service to unserved rural areas in southern Ontario, enabling them to connect to the information highway.

Let's talk about the Export Market Access program. The business advisory services branch works with the Ontario Chamber of Commerce, hand-in-hand with the private sector, to develop and to implement the Export Market Access program, which was launched more than a year ago. The branch has also collaborated with the Ontario Chamber of Commerce on a new, simplified—and, in direct response to the member—web-based application process. It went live this March.

The Small Business Agency of Ontario improves the interactions between government and small and medium-sized enterprises.

Here's one that's really effective: the Wisdom Exchange, which is peer-to-peer forums.

Unfortunately, I'm out of time, but I have got pages and pages of concrete, solid examples of how Ontario is already doing what member has asked.

The Acting Speaker (Mrs. Linda Jeffrey): The member from Newmarket–Aurora.

Mr. Frank Klees: I am in support, of course, of this resolution brought forward by my colleague from York–Simcoe, for the very reason that it's practical.

Her recommendation to bring back the Red Tape Commission is something that will allow us to actually measure what the Minister of Government Services and the member from Mississauga South are saying that the government is doing. You see, the evidence is to the contrary. When we speak to small business people within our ridings, we hear from them directly about what their practical experience is with regulations and with the cost of existing regulations.

One of the things that the Red Tape Commission did that I don't hear coming from this government is an actual measurement of the number of regulations that are being eliminated. What I can tell the Minister of Government Services is that under the Red Tape Commission, from the time that it was implemented until this government took over, there were more than 2,000 regulations taken off the books of the government. There is no evidence, none whatsoever, of the number of regulations that have been reduced by this government. In fact, what we have is evidence of a mounting amount of regulation that continues to strangle business in this province. The cost of compliance to regulations is estimated at over \$5,000 per employee for companies that have less than five employees. That is significant, and we are appealing to the government to listen to small business people from across this province and respond and become partners with them, rather than stifling their efforts to be in business in this province.

I thank my colleague for bringing this initiative forward. What we would look forward to is for the Minister of Government Services to in fact call Frank Sheehan and reinstate him as the chair of the Red Tape Commission.

The Acting Speaker (Mrs. Linda Jeffrey): Do I have another speaker? Okay, member from Kitchener–Waterloo.

Mrs. Elizabeth Witmer: I certainly support the motion that has been put forward by my colleague. We've been quite disappointed over the past six years, since the Liberals have taken over government, to see the impact of their many regulations and the burden of red tape that has been foisted upon the small business owners in our communities. I would say to you that probably on a weekly basis, our office and I, personally, when we're out at functions, are confronted by a small business owner telling us about the huge regulatory burden and all of the hoops that they have to go through in order to achieve certain ends.

I think you've heard my colleague say that we did have a Red Tape Commission. The Red Tape Commission did oversee the passage of 15 red-tape-reduction and government-efficiency acts, they repealed over 80 outdated statutes and they amended well over 200 other acts. In contrast, we've had a government these past years, since 2003, despite the fact that they said we will

convert the Red Tape Commission to make it an agency specifically devoted to meeting the needs of small business, do exactly the opposite. They have simply added to the burden of red tape and regulation. The Liberals have broken their promise to the small business community, who have struggled hard these past few years as the economy has turned downward.

The other thing, of course, this government did, despite the 2003 promise, is to totally abolish the commission. They just simply lost all interest and have had little in the way of any empathy or support for the small business community. I would encourage them to re-establish the Red Tape Commission, to review the regulations and make the cuts; set up a process to review the regulations to see if they're necessary; and I think, most importantly, it's time for this government to actually listen to the small business community in this province. They are the ones who can tell you first-hand how much they're suffering at the present time and how much of that suffering is as a result of the additional red tape and regulatory burden.

I would encourage this government to actually listen, and then I would encourage this government to actually implement the changes that are recommended.

1520

The Acting Speaker (Mrs. Linda Jeffrey): Seeing no further speakers, the member from York-Simcoe has two minutes to speak to her resolution.

Mrs. Julia Munro: I just want to highlight a couple of things that I think emerged from the very interesting discussion that we have had this afternoon on this issue.

First of all, a couple of the government members have referred to Open for Business, which of course I did as well. But my concern about this is, first of all, if the government has done as it suggests—one regulation in, two out—if it has created the kind of environment that it suggests, they've kept this light under a bushel. It's very difficult to determine the success of Open for Business. The only public reference there is a one-line announcement in March.

The other thing I would suggest is that one of the government members talked about the tools that people need, providing the tools for small business. More than providing tools—that sounds to me like top down—what should be the focus of any effort in this regard should be on the question of performance measures. How well are these working? That's the litmus test. That's the most important thing to determine, and if you can't demonstrate that this is actually making a difference, allowing someone to make a greater investment in their business, hiring another person, expanding their marketplace, then those kinds of performance measures are the key. If they're not there and you're not measuring them, then you have no idea how well the kinds of tools and money and programs and websites that you're putting out are doing.

So, my recommendation is that if performance measures for small business aren't there, you're not doing the job.

TAXATION

Mr. David Zimmer: I move that, in the opinion of this House, in response to the current economic climate, the Ontario government should heed the recommendations of federal finance minister Jim Flaherty with respect to sales tax harmonization, and the recommendation of the Progressive Conservative Party of Ontario contained in their 2009 pre-budget consultation submission before the Standing Committee on Finance and Economic Affairs with respect to Ontario's tax competitiveness, and implement a harmonized sales tax.

The Acting Speaker (Mrs. Linda Jeffrey): Pursuant to standing order 98, the member has 12 minutes for his presentation.

Mr. David Zimmer: The Ontario Conservative Party has taken, in my view, a duplicitous position on the harmonization of sales tax. It's duplicitous, it's disingenuous—

Mr. Michael Prue: On a point of order, Madam Speaker: I do not believe the word that was used is parliamentary.

The Acting Speaker (Mrs. Linda Jeffrey): Member from Willowdale, do you withdraw?

Mr. David Zimmer: I withdraw that.

Their current position on the proposed HST harmonization is a contradiction. It's in contradiction to their position for at least the last 14 years. Going back as far as April 11, 1986, then finance minister Ernie Eves, referring to the harmonization of sales tax: "[O]bviously it makes sense to harmonize."

Then we skip forward to June 7, 1995. Premier Mike Harris, in the *Toronto Star*: "It seems ludicrous to us to have two different" sales "taxes, two different bureaucracies to collect it and more paperwork." Then it continues on with the next leader of the Conservative Party of Ontario, John Tory, in a scrum on November 14, 2007: "The business community would say that the biggest thing to be done to assist their competitive position would be to have this harmonized tax because it would help them to buy, incent them to buy equipment and re-equip themselves to compete more effectively."

We have to ask ourselves why the Ontario Progressive Conservative Party suddenly, in the last couple of months, has done an about-face on that position that it has maintained for 15 years. It's not just those leaders that I've just quoted; the current leadership of the party and the current senior membership of the Ontario Progressive Conservative caucus have, over that same 13- or 14-year time frame, right up to just the last couple of months, supported, endorsed and encouraged Ontario to move to a harmonized sales tax regime.

Jim Flaherty, the former Ontario finance minister, now the federal finance minister, said that the single sales tax "is the single most important step that provinces ... could take to stimulate new business investment, create jobs and improve Canada's overall economic competitiveness."

Jim Flaherty, *Toronto Star*, March 27, 2009: "I'm quite encouraged by the fact that the government of Ontario decided to harmonize the PST with the GST. This is jobs; this is investment; this is good economic policy."

That's very interesting. Now let me offer some quotes from the current leader of the Ontario Progressive Conservative Party. You see, I was trained as a trial lawyer, and one of the things that you do when you want to confront an about-face, either of a witness or in this case a political party, is, guess what? Confront them with their prior statements which are inconsistent with the position they take today in a courtroom or, in this case, the position they take in the Legislature.

So what's the most recent position of the Ontario Progressive Conservative Party? Tim Hudak launches his leadership campaign, April 2, 2009: "You know, certainly we have called for business tax reductions for five years."

And, "Now, I know that some business leaders support the harmonized sales tax, and to be clear, I believe that there's little sense in allowing two separate governments to apply two separate sets of taxes and policies and collect two separate groups of sales tax." The leader of the Ontario Progressive Conservative Party also made that same point, using the same words, speaking to the Economic Club of Toronto on April 23, 2009.

Mr. Hudak made an appearance before the Progressive Conservative Don Valley West annual general meeting, on March 24, 2009. He said, "You know, well, we understand that, uh, you can relieve some of the taxes on businesses, right? In the manufacturing sector, the problem with the PST is it cascades, so every step along the way there's tax on tax on tax, which raises the cost of goods and ... punishes exporters. So we understand" what we need to do to "help the economy."

Tim Hudak on Radio AM980, speaking in support of business groups that have said they want to see a harmonized sales tax regime, said, on August 13, 2009, "In some areas there's no doubt that businesses will say this is better for them because, uh, they don't have the cascading impacts like in the manufacturing...."

But it's not just the leader of the Ontario Conservative Party; the senior members of the caucus have also, over the years, pushed and endorsed the harmonized sales tax. Let me just run through a few of the senior leadership of the Ontario Progressive Conservative caucus who are in this House day after day after day.

John O'Toole, speaking in Scugog on January 28, 2009: "I think (the province is) going to do it and I think it should ... be done."

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John O'Toole on a website, *Staying In Touch*, June 24 to July 4—he had an item on the website: "Most Ontarians have no difficulty with PST and GST being harmonized in order to help businesses avoid duplication and red tape."

Let's see what the interim leader of the Ontario Conservative Party, Bob Runciman, said in a scrum on

March 24: "I think, in theory ... our party is supportive of ... harmonization."

In a scrum the next day, on March 25, 2009—so he had overnight to think it through, to see if he really meant it the day before, and he came back the day after and said, after an evening of full and mature thought, that he thinks "it's something that should occur," referring to the harmonization of the HST.

What does another senior member of the Progressive Conservative caucus, Peter Shurman, say? In a scrum on March 24, 2009: "If there's an announcement on Thursday that what we're going for is harmonization, I am not saying that harmonization ultimately is a bad idea."

The list goes on. Let me quote from a very distinguished senior member of the Conservative caucus, Christine Elliott, who has a relationship of sorts with the federal finance minister—

Interjections.

The Acting Speaker (Mrs. Linda Jeffrey): Can I ask people just to settle down?

I think that we just want to calm the timbre down. Member from Willowdale, can you continue and not talk about the relationships of other people outside the House?

Mr. David Zimmer: The relationship of Christine Elliott is one of membership in the same political party as Mr. Flaherty.

Christine Elliott said, at a PC leadership debate in London, on May 21, 2009, "We would need to take a look at what the situation is when we take government in 2011." I think the question that was asked was, "Would she rescind the sales tax if they formed the government?" Not prepared to make a commitment.

Christine Elliott again in the debate on May 21, 2009, in London: "So it would depend very much on"—she hesitates—"there are many variables at play here and I don't think anyone at this point can speculate on what the situation would be in 2011."

So now you see that we're moving from strong endorsement of the HST, then a change in policy on HST—they're not in favour of it—and now we're moving to sort of a third position, where, if they did form the government in 2011, they're ambivalent as to whether they would rescind the HST or not. Talk about wanting it both ways—in this case, three ways.

I could go on and offer another hour or hour and a half of quotes from the senior leadership of the Ontario Progressive Conservative Party. The gist of each of those quotes is that they have strongly, over the years—over at least 13 or 14 years—endorsed the rationale and have supported the HST. It's only recently, when this government brought forward the harmonization regime and has proposed it, that they've suddenly, overnight, changed their minds and opposed it.

So the question remains: Why would a responsible political party do that in the face of all of the evidence and in the face of all of the statements from the senior leadership of their caucus, former finance ministers and

former Premiers? Why are they doing that? It seems to me that they're doing it because they know that it's at least getting them media attention. It's a media initiative. It's an attempt to grab the headlines. It's an attempt to create controversy. You know, that may be good for the Conservative Party, in the sense that they're getting ink in the press and they're getting on television and on the radio, but that's a very selfish reason. They should ask themselves: What is in the best interests of Ontario? What is in the best interests of Ontario's economy? And that is, we should harmonize the sales tax.

The Acting Speaker (Mrs. Linda Jeffrey): The member from Nepean—Carleton.

Ms. Lisa MacLeod: It's a pleasure to be able to take part in the debate on the Dalton sales tax.

I notice that this motion by the member from Willowdale is craftily worded to drive a wedge between those who oppose the Dalton sales tax, but I won't be deterred in my assessment of his tax grab. Indeed, it's a facile and, I might say, farcical attempt to gain support for the Liberals' ill-conceived and horrifically timed \$3-billion tax grab on the middle class and on seniors that Mr. McGuinty has locked us into for five years, with no ability to reduce the tax for two years.

As the revenue critic for the Progressive Conservative Party, I'm pleased to have the opportunity to focus on the particular line in the resolution, "and implement a harmonized sales tax," because I'm going to criticize Dalton's sales tax for the next six minutes. I only wish I had more time.

I might remind the member that since his government took office a few short years ago—I believe it was six—we have gone from first to worst in economic growth. We've lost over 300,000 manufacturing jobs, and for the first time since Confederation, Ontario is accepting welfare payments from the rest of Canada. We're a have-not province. Our taxes are the highest they've ever been in our history, and our debt and deficit are climbing at rates that would make Bob Rae blush. This is not the time to raise taxes, unless of course you are a government that cannot control your spending.

This government looks at every hockey mother, retired police officer and granny as its personal ATM. Indeed, while Ontarians are penny-pinching, Mr. McGuinty and Mr. Zimmer are nickel-and-diming them. How else can you explain their decision to add an 8% tax increase on home heating, Internet access fees, plumber and electrician fees and cellphone bills? And that's before I even leave the house. Then I'm going to find that they're going to increase taxes by 8% on landscaping fees and snow removal fees, and they're even going to find another way to tax the gas in my car. That's all before he takes another 8% from me on my mutual fund savings, my dog's veterinary bills, my Tim Hortons coffee and even my kid's soccer registration. And not only is Mr. McGuinty trying to tax me and the rest of Ontario to death; he's going to tax us in death. He's going to tax us in death. Funeral services are now going to increase by 8%.

This isn't even a complete list of the Dalton sales tax. Ontarians who are watching this at home can go to Daltonsalestax.com to find a complete list. They can even go to a calculator we've got to show them that this tax is going to cost them anywhere between \$1,000 and \$2,000 more a year.

And what about the bribe they're going to give you, the \$1,000 bribe right before an election to offset the cost of the HST? What is that really doing? It's offsetting the cost of the health tax they told us they weren't going to bring in the first time they raised our taxes. Of course, the next time, they did.

Mr. McGuinty is trying to communicate this as good economic policy, as is Mr. Zimmer, but a \$3-billion tax grab on Ontarians is the worst thing to do for the economy. This deal is so bad that even Mr. McGuinty doesn't, or should I say didn't, agree with the harmonization of taxes.

I have a few quotes for Mr. Zimmer. Let me share with you Mr. McGuinty's own words. I'm not sure if they let you know about his previous position, but of course he does have a record of flip-flopping from time to time.

He said in 1994, after speaking to Bob Rae, whom I think he now agrees with, "People have had it up to here and beyond when it comes to taxes." Then he said in 1999, before he became Premier of Ontario: "All of the information that I have received tells me that harmonization ... would lead to a net increase in taxes for the province of Ontario and for Ontarians. There's going to be a net loss here to the province of Ontario if we proceed with that harmonization, and that's why I will not go ahead with that."

Then he just keeps on digging that hole. Again in 1999, he said he "won't do it because it's going to come at an economic disadvantage to the province of Ontario. I can't see it happening unless our taxes go up.... In fact, we'll have a net loss. So I'm not going to be harmonizing our taxes."

There's more, but I've got to tell you something: I don't have the time; I have to split my time with my colleague the finance critic. But I wonder what's changed, and I'll tell you what's changed: Dalton McGuinty is broke. He doesn't want to stop spending. He just wants to take more money from us. And his caucus doesn't even like it. I'm sure a couple of anonymous folks over there have said this: "If they can't give me a 30-second sound bite on why this is a good thing to do, then I'm screwed"—that, says one Liberal MPP in the *Toronto Star*.

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Another, in the same paper two days later, says, "Voters are not stupid. People will figure out that we're bribing them with their own money." My favourite personal quote from a Liberal MPP is this one: "As soon as we say you're going to get a cheque, the reaction we're all getting is people are pissed. They say Ernie Eves tried it and it inflames them even more."

And even Mr. Zimmer's own constituents detest this tax. I just received this today: "We have been working on

sending letters to our local MPP (David Zimmer) and to Dalton McGuinty. David did visit our condominium with a member of the finance department.... It was not productive at all. It showed us that the employees of the ministry are going along with Dalton's sales tax, deceiving the public as to the fact that this is helping businesses ... etc."

Mr. Zimmer, that e-mail comes under the category, "It inflames them every time."

I'm out of time, so thank you, Madam Speaker. We're going to continue to stop this tax.

The Acting Speaker (Mrs. Linda Jeffrey): The member from Beaches–East York.

Mr. Michael Prue: Where do you go from here? You've got the pot calling the kettle black and the kettle calling the pot blacker: A pox on both your houses, because the reality is that the Liberals for years said they would never do such a thing and did it; the Conservatives said for years that they wanted it done, and when it happens, they don't want it.

I have to tell you, the reality is that only the people of Ontario know that this is a bad tax. They know that politicians will say whatever they want to say to get elected, if you're a Liberal, and they'll say whatever they can say if you're a Conservative to pretend that it's not your problem and you never thought it up in the first place.

I have to say, I am extremely disappointed in both of my colleagues' parties. I'm very disappointed in what they're doing, digging up all this stuff. Come and talk about what the tax is actually going to do to Ontarians. Tell Ontarians exactly what they are going to pay for now that they didn't have to pay before.

My colleague read some of them out but I have a list that I think might be exhaustive and I think—if anybody's watching—it includes: gasoline for your car; hydro and home heating; the Internet; veterinary care; newspapers and magazines; prepared foods under \$4; personal care services; hair styling; professional services; legal and mutual fund fees; campgrounds; taxi fares; real estate commissions; ice rink rentals; dry cleaning; labour costs for your home renovations; car rentals; funerals; domestic air, rail and bus tickets; vitamins; new homes over \$400,000; and commercial property rentals.

That's what's included. That's where the taxes are going to come from. You can say all you want that it's going to help business and I have no doubt it's going to help some business, but it's going to hurt consumers. It's going to hurt the very people who voted for you in the last election and the very people you told you wouldn't do it. That's who's going to be hurt. If you look at them and you tell them honestly, and look at what is going to happen, we know that with condo fees—and I've got a quote here from Murray Johnson, regional manager with Brookfield Residential. On condo fees: "When we ran the computer simulation of budgets we were able to consistently arrive at the overall 6.8% increase to the annual budget and thereby the monthly fees. We are somewhat reassured that our numbers are correct in that we have

heard our major competitors have arrived at the same figures."

So if you live in a condo, you are looking at a 6.8% increase. I heard a question asked the other day, and what a question: Are rents going to go up? No, the rents can't go up and the rents aren't going to go up, but the cost to the people who own the apartment buildings are going to go up approximately 3%, and they are going to apply to have that rent increased. You know and I know it's going to happen.

David Murrell of the University of New Brunswick has done a study on this already, and he suggested that, over the next few years, Ontario consumers will pay \$7.1 billion more annually. It works out to \$1,560 per household. The consumers aren't being fooled. They know who's going to pay: They're going to pay. And it doesn't matter whether Jim Flaherty likes it or Dalton McGuinty was once opposed to it. In the end, the people who are going to pay are the consumers, and they are not going to forget come the next election. They are not going to forget what is happening here in this Legislature and what is being debated.

In fact, when we informed some of the 100,000 people who have signed our petition of the debate here today and what Mr. Zimmer was putting forward, we received literally 1,000 e-mails. I'd like to read a couple of them, because this is what ordinary people out there think of this whole debate.

The first one is from Sandy Allan. "My wife and I are both senior citizens; we live in a condo. If this tax goes through we may have to sell up and move into rental accommodation; our condo fees are high enough as it is."

The next one, from Joni Bottos: "Say no to HST! In today's economy, we should be doing all we can to promote commerce. The introduction of HST will only cause people to think twice about spending money."

Or how about from Richard Reilly and Euna Branch from Innisfil, Ontario, who said, "While I am aware of recent government deficits and the need for new sources of tax, I find that for retired persons such as myself, there will be a very significant increase in my cost of living, as much as \$500, which I can ill afford."

Or how about Tanya Loeffen from Scotia Plaza: "In my opinion, by adding additional tax to services that are not currently taxed, i.e. haircuts, the government will do damage to the already rocky economy."

Or how about Gary Dinkel: "Another tax is simply unacceptable. As a senior on limited income, you will make everyday living even more expensive. I say no to this tax. Put yourself in our shoes."

Or how about Kryisia Steinberg, who writes: "I cannot afford an additional increase in hydro, water, gas, repairs."

Or how about Cary Roy: "Once again a family that is just making it by will have to dish out more money to taxes, and once again the working class has to bear the brunt of the majority of the costs to implement this money grab."

I want to leave some time for my friend, but a couple more: "As a resident of Ontario, I am appalled that you would even consider bringing in the HST next year or any year for that matter.

"The people of this province are struggling enough to keep their heads above water. The jobless rate is at its highest and the welfare lines are growing and the food banks are empty....

"Shame on you!" from Maureen Fitzpatrick from Grimsby, Ontario.

Last but not least: "Please do not harmonize the GST and PST taxes.

"I do not appreciate the tax grab. Those of us working are already struggling with higher food and energy costs," from Karen Martini, from Mississauga, Ontario.

I've got lots. The time is limited. I just want to say that the people of Ontario are not being fooled. They're not being dragged into what Jim Flaherty wants, what Dalton McGuinty wants, what Tim Hudak said 10 years ago. They want not to be taxed in a way that this government is doing it, and they are telling this government that they are putting themselves at risk by continuing to do so.

The Acting Speaker (Mrs. Linda Jeffrey): The member from Mississauga—Streetsville.

Mr. Bob Delaney: I want to say hello to Ontario, and especially those of you who are watching this at Heritage Square in Meadowvale.

Now that we're all together, I do want to talk. Once upon a time, a long time ago, in fact, it was back in 1961, a Premier of Ontario raised taxes. His name was Leslie Frost, and later that year, he was succeeded by a young guy named John Robarts. That government instituted a retail sales tax. I think it was supposed to be called the RST, but the government of the day was worried it would be called the Robarts Sales Tax, so it became known as the PST, for provincial sales tax. Way back then there was no such expression as, say, "service sector." Just to give you an idea: John F. Kennedy was in his first year as president, and the Chicago Blackhawks had just beaten the Detroit Red Wings for the Stanley Cup.

How many of us still live in the same house we occupied in 1961? How many of us still drive the same car? How many of us wear the same clothes we did in 1961? More importantly, how many of us still do business like we did in 1961? Now, those of us who are meeting with other seniors at the older adult centre in Square One might want to really pay attention to this. The Conservative Party in Ontario would have us continue to pay taxes like we did in 1961. Now, the rest of the world has moved on, it's modernized, and Ontario simply seeks to do the same. Since Conservative Premier Leslie Frost brought in the sales tax at 3%, and Conservative Premiers John Robarts and Bill Davis increased the tax to 8%, Ontario has changed and so has the world.

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Supply chains are longer. The service sector is a vital part of our business. Now, logistics and storage are a vital part of that supply chain. So what has happened to the Robarts sales tax that you pay at 8% every day? Too

much of it, ladies and gentlemen, is stuck in the price that you pay. For example, all of the PST or the Robarts sales tax that you pay in a business on such things as furniture, office equipment, supplies, employee food, coffee and every single thing that you use in your business is stuck in your business. You have to pass this sales tax along in the form of higher costs. That extra tax burden amounts to between 2% and 5% of your total business costs. And who pays for that? You do. You do, if you're chatting with your sister on Bartley Bull Parkway in Peel Village. You do, if you're sitting there petting the cat in your den in Leaside.

Let me give you an example. Let's look at a typical supply chain. You have a bunch of suppliers who will supply a manufacturer; who passes his goods to a wholesaler; who puts it into a distribution channel which is the retail chain, the franchisor, the corporate store, the jobbers; who puts it into a retail store from which you buy it. Now let's follow the hidden tax. Let's say there's between 2% and 5%. Let's start with the suppliers: 2% and 5%. It goes to the manufacturer. Now, compound interest is a great thing to collect. Compound expense is a terrible thing to pay, but the Conservatives and the NDP want you to pay it.

Now, when we compound the 1.02, times 1.02, by the time you get to the manufacturer that's 4% to 10¼%. When it goes to the wholesaler, the tax stuck in your business is between 6½% and—wait for it—15¾%. When it gets through the distribution channel, it's between 8¼% and 21½%. By the time it gets to the retailer, the embedded tax in the price that you're paying is between 10.4% and 27⅝%. On top of that, you pay 8%, and when you compound that, that works out to between 19¼% and 37⅝% that the Conservatives and the NDP say you should continue to pay and this government says, "All we want from you is 8%; we do not want between 19¼% and 37⅝%." You can do the math. You'll end up at the same place that I did.

So let's get this straight. The Tories and the NDP want you to continue to pay a price that includes embedded sales tax of between 19¼% and 37⅝%. Ontario's move to harmonize your taxes means that the price on so many things that you buy every day will go down, not up.

To my colleagues, let me quote what Ernie Eves said. Let's quote directly. "If the federal government can come to us with a proposal that will harmonize and at least be revenue-neutral in terms of its impact on consumers in the business community, or preferably from my point of view, save taxpayers money"—which is exactly what we're doing—"heaven forbid, then obviously it makes sense to harmonize." Who said that? Ernie Eves. He didn't say it after he retired; Ernie Eves said that while he was Ontario's finance minister.

Ontario will raise your benefits and cut your taxes. You get that? If you're flipping the remote on Squire Drive in Richmond Hill, Ontario will raise your benefits and cut your taxes. This province is going to cut your personal income taxes on January 1 next year, six months ahead of the introduction of the single sales tax. The

Tories and the NDP are going to vote against cutting your taxes permanently.

You guys who are watching in the auto body shop off of Royal Windsor Drive in Oakville: Pay attention to this. Effective January 1, your small business surtax will be permanently eliminated. Ontario is the only province in Canada to do so. You guys are going to be able to grow your business better. But the Conservatives and the NDP will vote against cutting your small business surtax permanently.

To the lady who's doing her ironing in Humber Valley Village, you're getting a new permanent sales tax credit. Despite the long list of tax-exempt items and despite the price reductions that you can expect on so many of the products that you buy every day, this is going to help offset those things for those services whose price may go up. But the Conservatives and the NDP will vote against your best interests.

To the ladies doing their knitting nestled in their homes on the Queensway, your senior homeowner's property tax credit is going to be doubled from \$250 to \$500 on January 1, six months before the single sales tax comes into effect. You are going to be able to stay in your own home longer. But the Conservatives and the NDP are going to vote against that.

What it comes down to is this: Ontario is changing the way that we collect tax. We are not going to stay stuck in the year 1961. We are going to say this very clearly: It took the federal government some \$4.3 billion to offset the revenue that will no longer come out of your pocket. That's the amount that's going to stay in your pocket beginning next year, which includes the conversion to a single sales tax.

For the people who are selling things to others, what that also means is that you're no longer going to have to face the complete insanity of one transaction being subject to two different taxes by two layers of government at two separate rates under two different sets of rules, where you deal with two independent sets of bureaucrats who often don't talk to one another. It's estimated that you people in business across Ontario are going to save some \$500 million in tax compliance expenses.

My colleague across the way, Ms. Munro, the member for York-Simcoe, just finished a resolution in which she asked, "What are we doing to help businesses?" How about \$500 million in tax savings? That's exactly what she asked for.

For those of you people who are surfing the net and switching channels in Brantford, just hang with me for another two minutes here. Across the world, some 130 countries and about 90% of Canada's population, when we implement the single sales tax, will all be in step, with much the same set of rules. People came into my constituency office, especially when I was the parliamentary assistant for research and innovation, and they would sit down with me and talk about the many advantages of doing business here in Ontario and say, "You know, you have so many things going for you," listing off our universities, our proximity to the United States, our abun-

dant, inexpensive electricity, whatever. But then they would say to me, "Why in heaven's name do you people in Ontario still retain this stupid, idiotic, archaic way of collecting tax?" All I could do at the time was shrug my shoulders and say, "Because we've always done it." But now we're going to get in step with the rest of the world.

Should Canada choose to pursue its course in a free trade agreement with Europe, we then get access to that market, which is larger than our largest trading partner, which is the United States. To give you an idea of what size of a market that is, one US company alone, Home Depot, does more business with Canada than all of France. What kind of place do you want your children and your grandchildren to grow up in—a place that can't do business with the progressive economies in Europe and in Asia because our tax rules are so antiquated or a place that continues to be the most competitive, aggressive place to start a business, to grow a business and to enable people in our province to compete on a level playing field? The people who have been signing my petitions in western Mississauga who say, "We want to hear the whole story, not just half the story"—they're the ones who know that.

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I think what we're trying to say here is, if what you heard are the doomsday scenarios, say no to the half-the-story Tories. Ask to hear the whole story. That is the difference. Canada's population will be in step with the rest of the world, and only the Ontario Conservatives will be out of line.

The Acting Speaker (Mrs. Linda Jeffrey): The member from Parry Sound-Muskoka.

Mr. Norm Miller: I'm pleased to have the opportunity to add my comments on this resolution today. Since it is apparent the McGuinty government isn't listening to the people of Ontario, I'm going to speak on the adverse impact that the proposed harmonized sales tax will have on three principal groups: the public, small business and the larger provincial economy. I'd like to thank my new intern, Greg Anthony, who's just finishing his first week, for his help with notes today.

First of all, the member from Willowdale used quotes from individual PC members speculating about a harmonized sales tax. I know that we quoted Premier McGuinty when he was a member of opposition. I think the true measure of what you intend to do is what you did when you were in government.

The PC Party was in government for eight years. For a good part of those eight years, the finance minister was Ernie Eves. The member from Mississauga-Streetsville quoted Ernie Eves, but I went and met with the past finance minister last week. I asked him about the HST, and his reaction was, "This is a tax grab by the McGuinty government." He told me how, when he was finance minister, he met with Paul Martin, then finance minister of the federal government, and made a proposal to him, which they carefully evaluated, and they decided that it wasn't good for Ontario.

Ernie's words to me last week when I met with him were, "Why do you think the McGuinty government wants to bring in this tax? Do you think they would be doing it if it wasn't going to bring in more tax revenues?" And of course, the answer is, "No." This is a tax grab by a government that's addicted to spending, a government that is wasteful in its spending. We just need to look at the recent revelations to do with eHealth—and it has been well-documented—with OLG and now with the WSIB's extravagant spending that's coming out. We know for a fact that this government has increased spending by some 60% over the time they've been in government, average program spending increasing 7.4% every year. They have to find new sources of revenue when their spending increases so dramatically every year.

The negative impact this tax grab will have on the citizens of Ontario seems to be obvious to everyone but the Liberals. A poll conducted by the government earlier this year found that nearly 70% of those surveyed were opposed to a new harmonized sales tax. It's an understandable sentiment, given the difficult economic climate. Ontarians are working hard, but with this latest tax grab, paid for on backs of the middle class and seniors, it will be even harder for people of this province to balance their finances. Ontarians are being punished at a time when they can least afford it because of the reckless fiscal policies of the McGuinty government.

Price increases on everything from heating oil to electricity, Internet services to haircuts will make everyday living for Ontarians much more costly. Condo owners will also be hard hit; their fees will be increased 7% to 8% if the HST comes into effect. This tax hike would also be applied to recreational facility rentals such as hockey arenas, baseball diamonds and soccer fields.

As a former minor hockey coach in Bracebridge, the idea of a tax hike affecting all parents whose children play minor hockey and other organized sports is simply unacceptable. The government should be encouraging Ontario's children to lead healthy, active lifestyles. Instead, they are imposing taxes that make playing hockey and other sports unaffordable to parents.

The riding of Parry Sound–Muskoka depends a great deal on seasonal tourism. I've had first-hand experience with this, being a former resort owner myself. With this new HST, visitors will be paying more for gasoline, lunches, golf fees and even their Tim Hortons coffee. The tax rebates and income tax changes will simply not cover all these added expenses, despite what the government has said to the contrary.

In the short couple of minutes or minute and a half I have left, I'd like to just illustrate two other points. One is that this government is imposing this tax on mutual funds. When I met with the financial industry, they told me we'd be the only jurisdiction in the world that would be taxing the management fees on mutual funds. That one change would be a \$300-million to \$500-million increase in tax for people: for seniors and for individuals trying to save for retirement. Ontario would be unique in

applying this tax to the management fees on mutual funds.

I'd also like to point out in the short minute I have left that one of the sales pitches to business on this is that they can claim the tax back. They can have input tax credits. Well, on page 134 in the budget, you see "Temporary ITC restrictions for business," and then you find out that billions of dollars in input tax credits will be denied to business. So they're going to be denied. That's up to eight years. In year 3, it's \$1.3 billion. Well, they won't get it back, and that will affect especially big business—businesses with sales over \$10 million—on energy, telecommunications, road vehicles—all the sales forces—on food, beverages and entertainment. That's a hidden part of this, where one of the advantages for businesses will be denied.

Unfortunately, I'm out of time, but it's clear where we stand on this issue.

The Acting Speaker (Mrs. Linda Jeffrey): The member from Parkdale–High Park.

Ms. Cheri DiNovo: Boy, oh, boy, are we being kept awake this afternoon in the House. We have Zany Delaney and his voodoo economics over there.

Let's be really clear here.

Mr. Bob Delaney: On a point of order, Speaker: The standing orders specifically state that members are to be referred to by their riding names. Nor may a member make an allegation against another member.

The Acting Speaker (Mrs. Linda Jeffrey): The member from Parkdale–High Park, could you refrain from upsetting the other member?

Ms. Cheri DiNovo: Sure, I will.

Quite frankly, as a New Democrat—this is the adage: Liberals, Tories, same old stories. Here we have Liberals blaming Tories, Tories blaming Liberals, but the reality is, here we have a government that gave \$4 billion away to corporations and has to make up the tax shortfall somewhere. They have opted, and everyone in Ontario knows this, to take it out of your pockets, if you're listening.

How have they opted to do that? It's called the HST. It is not a progressive tax—there is such a thing; it is a regressive tax. That means that those who can least afford it are taxed the most. Unlike progressive income taxes, where if you make more money, you pay a greater percentage of tax, this levies a tax on those who can afford it least, at the same rate as that on those who can afford it most. Thereby it is regressive, so end of argument there.

Will it help small business? Absolutely not. I would challenge this government to come forward with small business owners who say this tax is going to help them. That's not what we hear from the CFIB. That's not what we hear from the Ontario Chamber of Commerce. That's not what we hear from the BIAs in our neighbourhoods. And that is not what we're hearing from thousands of e-mails: tens of thousands of e-mails from individuals, thousands of e-mails from small business owners, ones like this:

"I simply can't afford this. I'm stretched to the max. As a business person, I've seen how the HST has had a negative effect on sales in Halifax." That's from Deborah Clark.

"As a small business person who provides services to my clients, I strongly oppose the implementation of the HST." Cheryl Sellers on Oak Street.

I could go on. There are literally thousands of them. Why? Because they know it's going to hurt business.

Not only is it going to hurt business, but we are getting letters from condo owners who say they simply cannot afford what amounts to an increase of more than 6% in what it is going to cost them for their condos.

This is the worst possible time in the history of the economy of Ontario to levy a regressive tax on those who can afford it least.

One might ask—because we're asked, "Well, what about St. Paul's? What about the by-election?" Quite frankly, the impact has not hit and will not hit renters, single mothers with families or anybody else until next July 2010, and then stand back, because then, despite this government's attempt to bribe the electorate with the little \$1,000 give-out just before the election, these folks will know because they'll be paying it out of their pockets. Of course it's not added onto rent. Of course landlords will download the extra cost, because they can. It's completely within their right to download the cost of utilities to their renters.

1610

This is absurd, and the attempts to justify it are absurd. At least stand up and say, "We need the money. We're a government running an outrageous deficit. We need the money. We're going after the people who won't come back at us at our fundraising dinners and blame us for it." That's the little people, the people in Ontario, not the big corporations—the corporations, who are friends of this government, who are getting the money from this government by way of huge, multi-billion-dollar handout tax cuts, not to mention the untendered contracts. Thank you to my colleague here.

Suffice to say, let's hear real justification of the tax. Let's hear the truth. Let's hear, "We need the money, and we're frightened to get it from the big corporations. We need their money to help support us and get re-elected. So we're going to hit you, the little people of Ontario," and the little people of Ontario know that. They know it. Small business knows it. Seniors know it. Condo owners know it. Everyone knows it except the people across the way.

The Acting Speaker (Mrs. Linda Jeffrey): Seeing no further speakers, the member from Willowdale has two minutes to reply.

Mr. David Zimmer: I urge the voters who are watching this debate, I urge the voters who will read the record in Hansard tomorrow, who will read the reports in the press tomorrow, to pay attention to the position of the Ontario Conservative Party.

For 14 years, the Ontario Progressive Conservative Party has called upon and promoted and urged harmon-

ized sales tax, and that position continues. That position continues with the senior leadership of the Ontario Progressive Conservative caucus.

In closing, I'm just going to offer three or four more quotes to drive the point home. If the people out there think that if this Conservative Party were to form a government in 2011 and they're going to carry through on their position today, which is no harmonization, that is just a pipe dream.

Tim Hudak, speaking to the Economic Club of Toronto on April 23, 2009: "I know that some business leaders support the harmonized sales tax, and, to be clear"—he said that for emphasis—I believe that there is little sense in allowing two separate governments to apply two separate sets of taxes."

Bob Runciman in a scrum, March 25, 2009: "I think in theory our party is supportive of the harmonization. In principle, we think it's something that should occur."

Peter Shurman in the scrum, March 24: "If there's an announcement on Thursday, that's where we're going to go on harmonization. I'm not saying that harmonization is ultimately a bad thing."

Christine Elliott, in the St. Catharines Standard—

The Acting Speaker (Mrs. Linda Jeffrey): Thank you. The time provided for private members' public business has expired.

EDUCATION STATUTE LAW AMENDMENT ACT (ELECTRONIC SEXUAL MATERIAL), 2009

LOI DE 2009 MODIFIANT DES LOIS EN CE QUI A TRAIT À L'ÉDUCATION (DOCUMENTS ÉLECTRONIQUES À CARACTÈRE SEXUEL)

The Acting Speaker (Mrs. Linda Jeffrey): We will deal with the first ballot item, standing in the name of Mr. Martiniuk.

Mr. Martiniuk has moved second reading of Bill 202. Is it the pleasure of the House that the motion carry?

All those in favour?

All those opposed?

That's carried.

Second reading agreed to.

The Acting Speaker (Mrs. Linda Jeffrey): Mr. Martiniuk, referred to committee of the whole?

Mr. Gerry Martiniuk: No. I want a division.

Interjections.

The Acting Speaker (Mrs. Linda Jeffrey): You already won the vote, and I needed—

Mr. Gerry Martiniuk: I want a division. I heard some nays.

The Acting Speaker (Mrs. Linda Jeffrey): I didn't see five people stand up.

Mr. Gerry Martiniuk: I want a division. What are you scared of?

The Acting Speaker (Mrs. Linda Jeffrey): The motion carries.

Mr. Gerry Martiniuk: I ask that it be referred to the Standing Committee on Regulations and Private Bills.

SMALL BUSINESS

The Acting Speaker (Mrs. Linda Jeffrey): On the second resolution, Ms. Munro has moved private members' notice of motion 108. Is it the pleasure of the House that the resolution carry?

All those in favour?

All those opposed?

The nays have it. That motion is lost.

Motion negatived.

TAXATION

The Acting Speaker (Mrs. Linda Jeffrey): On the third item, Mr. Zimmer has moved private member's notice of motion 111. Shall that motion carry?

All those in favour of the motion, please say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it. I declare the motion carried.

Motion agreed to.

The Acting Speaker (Mrs. Linda Jeffrey): Orders of the day.

Hon. Monique M. Smith: I move adjournment of the House.

The Acting Speaker (Mrs. Linda Jeffrey): Is it the pleasure of the House that the motion carry?

All those in favour?

There's no dissent? That's carried.

This House is adjourned until Monday, October 5, at 10:30.

The House adjourned at 1616.

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Hoy, Pat (LIB)	Chatham–Kent–Essex	
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**Assemblée législative
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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 5 October 2009

Lundi 5 octobre 2009



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Honourable Steve Peters

Président
L'honorable Steve Peters

Clerk
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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 5 October 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 5 octobre 2009

The House met at 1030.

The Speaker (Hon. Steve Peters): Good morning. Please remain standing for the Lord's Prayer, followed by a moment of silence, of inner thought and personal reflection.

Prayers.

INTRODUCTION OF VISITORS

Mr. Charles Sousa: In the Legislative Assembly today we have a group of students from Forest Avenue Public School, with their teacher. They're from grade 5 and they should be with us momentarily. I welcome them to the House.

Hon. Christopher Bentley: Joining us in the Legislature will be Doug Alexander from the great and glorious community of London.

The Speaker (Hon. Steve Peters): On behalf of the member for Etobicoke-Lakeshore and page Carlos Fiel, we'd like to welcome his mother Maria Fiel, his grandmother Cecilia Fiel, his aunt Corito Fiel, and a friend, Cathy Narduzzi, to the members' east gallery today. Welcome to Queen's Park.

ORAL QUESTIONS

ONTARIO ECONOMY

Mr. Tim Hudak: My question is for the Deputy Premier. This is National Family Week, and Ontario families are working harder today but are losing ground. Statistics Canada data shows that household incomes have remained flat since 2003, when Dalton McGuinty took office. Canada Mortgage and Housing Corp. tells us that the cost of mortgages and housing has gone up 40% over that time period, while the city of Toronto study found the cost of feeding the kids is up 15%.

To the Deputy Premier: How much harder do Ontario families have to work just to stay afloat?

Hon. George Smitherman: To the finance minister.

Hon. Dwight Duncan: There's no doubt that the situation in the world economy has caused difficulties for families. Unemployment is far too high, here and around the Western world.

I would advocate and argue to the Leader of the Opposition that our party's investments in education, our party's investments in health care and in a cleaner en-

vironment, and our party's investments in a range of other initiatives are designed to help Ontarians and Ontario get through these challenging and difficult times. There's no doubt there's more work that needs to be done, and this government is committed to working with our federal partners and members of the IMF and the G20 to invest in stimulus and job opportunities so that all Ontarians can prosper when the downturn in the world economy occurs.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: Let me be clear: Incomes have been flatlined since 2003, since the McGuinty government took office. Ontario families are paying more today but are losing ground since 2003. What mortgages and other essentials don't eat up of people's paycheques, provincial taxes and fees brought in by the McGuinty Liberals sure will. In the budgets passed since Dalton McGuinty became Premier, a typical middle-class Ontario family is paying 8% more of their income in provincial taxes. That includes, of course, the health tax that Dalton McGuinty said he wouldn't bring in, but he did.

So, back to the finance minister: How much do you think Ontarians should have to pay in order to just stand still?

Hon. Dwight Duncan: The Leader of the Opposition doesn't put the full case, and I would dispute his figures. In fact, up until this year, Ontario experienced considerable growth in incomes, considerable growth in the economy, until the bottom fell out in the world economy—as it has affected many jurisdictions.

Our investments in education, our investments in health care, our tax cuts, our elimination of the capital tax, the income tax cuts that are part of this year's budget—the overall management of the government's finances has experienced difficulty as a result of the downturn in the economy. But we will continue to make investments in infrastructure, continue to reform our tax system with tax cuts, where appropriate, to ensure that Ontario comes out of this bigger and stronger than when it went into it.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Tim Hudak: Again, I say to the finance minister that these are Statistics Canada and CMHC figures. When you crunch all the numbers from StatsCan and CMHC and others, a typical middle-class Ontario family now works a startling 25 extra days just to afford cost-of-living increases since Dalton McGuinty took office—in the city of Toronto, 29 extra days—and Premier McGuinty's response is to hammer them with another sales tax increase.

I say to the finance minister, are 25 days enough? How much more time do you want people to give up with their own families just to pay for your record deficits and tax increases?

Hon. Dwight Duncan: I don't think anybody can rely on the number the Leader of the Opposition put forward. It's not based on fact. It's not based on any reality. It's based on an outdated ideology that says you should cut taxes, close hospitals, close schools, lay off teachers, lay off public servants, cut transfers to municipalities, not invest in the environment, not work to help the auto industry through a difficult time. Our government rejects that philosophy.

Our government takes a balanced approach, investing in the elements of the economy that are most important to Ontarians—investing in education, investing in health care, investing in a better environment—and reforming the tax so that we have a more effective and efficient and competitive tax system, with tax cuts for low-income Ontarians and others, that will make this economy bigger, better and stronger when we come out of the world downturn.

AGENCY SPENDING

Mr. Tim Hudak: Back to the finance minister: It seems clear that during the summer of scandal, the McGuinty government philosophy was to help their Liberal friends while working families fell farther and farther behind. Steve Mahoney, former Ontario Liberal MPP and now chair of the Workplace Safety and Insurance Board, has managed to turn a part-time appointment into a full-time job with good pay and perks. Last Thursday, the labour minister let slip that his friend returned \$14,759 in previously approved expenses. Ontario families will be interested to know if Mahoney did this before or after the PC freedom-of-information request on his expenses. When will Minister Fonseca table the records for these returned expenses here in the Legislature?

Hon. Dwight Duncan: To the Minister of Labour.

Hon. Peter Fonseca: I say to the member opposite that there is an expectation by this government, by this Premier and especially by the public that all government agencies, the WSIB included, adhere to strict, prudent and responsible expense policies.

I can tell the member that the WSIB and all the Ministry of Labour agencies, boards and commissions are working very hard to ensure that they are in compliance with the new rules that have been set by the Premier.

The WSIB chair has given me assurances that they understand the new rules that are in place, and that expenses that were allowed under the old policy in the past are no longer allowed today. The WSIB is working hard to protect workers, to lower injury rates and to reach out to their stakeholders.

1040

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: Let me pursue the Minister of Labour about his so-called proven expense policies. Another

member of the Liberal family had a hand in helping Steve Mahoney help himself to the hard-earned money of Ontario taxpayers. Freedom-of-information records reveal that, since April 2007, Steve Mahoney's expenses received sign-off by none other than Patrick Dillon, who sits on the WSIB. Dillon, of course, the spokesperson for the Working Families Coalition, a front created to circumvent campaign spending rules and spend millions of dollars to advance the Liberal election campaign—

The Speaker (Hon. Steve Peters): I just ask the honourable member to withdraw.

Mr. Tim Hudak: Withdraw which part?

The Speaker (Hon. Steve Peters): The comment that he just made.

Mr. Tim Hudak: Well, I'll withdraw it, Speaker.

Dillon, of course, the spokesperson for the Working Families Coalition that spent millions of dollars to advance the Liberal election fortunes.

To the minister: Why the oversight of Mahoney's expenses from another unelected, unaccountable member of the McGuinty Liberal family?

Hon. Peter Fonseca: The member continues with his political rhetoric, but as I've said, the WSIB and their officials have changed past policies. They know that some of those past policies are no longer acceptable. There are new rules in place.

Furthermore, this member knows full well that the government has changed some of our policies. All OPS employees today at our largest agencies will receive on-line mandatory expense training. Expenses for all OPS senior management, cabinet ministers, political staff and senior executives at Ontario's largest agencies will be posted online for the first time. And, going forward, all expenses will be reviewed by the Integrity Commissioner for approval.

Times have changed and, certainly, expenses that may have been acceptable in the past—

The Speaker (Hon. Steve Peters): Thank you. Final supplementary.

Mr. Tim Hudak: I wonder if now the minister is finally going to take the pen away from Patrick Dillon, the head of the Liberal-aligned Working Families Coalition, on signing off on expenses.

I say to the minister that what Ontario taxpayers are seeing here is very clear. If you're a Liberal-connected friend, like Steve Mahoney, you get \$140,000 a year, a part-time job and special treatment and expense sign-offs from another Liberal friend, but if you're an average, hard-working member of the middle class, you get nothing. Ontario taxpayers deserve better.

Why are you making Ontario families work harder? Why are you making them give up 25 days more a year just to tread water in order to pay for the benefits of your Liberal friends?

Hon. Peter Fonseca: The official opposition seems confused on this issue. The leader sent a pat-on-the-back letter to Chair Mahoney on September 1, and it says, "On behalf of all members of the PC caucus I thank you for the work that you do," signed by Tim Hudak.

The deputy leader, last week, was asked if the chair should resign. The deputy leader said she didn't know, and the labour critic clearly last week, with his antics in this House, shows that he's in complete disagreement with his leader.

I ask, who's in charge over there? Is the leadership battle still on?

ELECTRONIC HEALTH INFORMATION

Ms. Andrea Horwath: My question is to the Acting Premier. A news report today states that cabinet ministers approved a \$30-million—

Interjections.

The Speaker (Hon. Steve Peters): Please continue.

Ms. Andrea Horwath: I'll take it from the top, Speaker, if you don't mind.

My question is to the Acting Premier. A news report today states that cabinet ministers approved a \$30-million untendered contract to IBM and that this was opposed by the eHealth CEO, the Deputy Minister of Health and the assistant deputy minister. Can the Acting Premier confirm that he approved this contract against the advice of his senior bureaucrats?

Hon. George Smitherman: By way of supplementary, I'll ask the Minister of Health to address this question. But as the honourable member has spoken to the role that I may or may not have played as a member of Management Board, I can tell the honourable member that while she reads it is as if this has been reported only as of today, this is of course a matter that was under discussion here last Thursday and last Friday.

In the course of serving on Management Board, items come forward from various ministries. I haven't checked the record to see whether I was actually at the meeting in question. But to the direct nature of the question at hand from the honourable member, no such protestations about the issuance of such contracts were made known to me.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: The IBM contract is not the only example of this government's addiction to insider contracting. In 2006, while the Acting Premier was the Minister of Health, 295 consultants were working on the eHealth program, with only five ministry employees. One employee even quit on a Friday to take a job as a consultant the following Monday. Can the Acting Premier confirm any of these allegations?

Hon. George Smitherman: To the Minister of Health.

Hon. David Caplan: These allegations, I don't know based on what—but I can tell the member, in answer to her earlier question, that the first contract was sole-sourced. There was only one legitimate provider of the service. That was IBM, the original designer of the OHIP mainframe and of the database. The health registration system is one of the largest in the world, and uses IBM mainframe technology and database software. This has been the case through your government, through the PCs and through this government as well. The contract was

awarded to IBM in order to leverage the existing registered persons and provider databases in the OHIP system. IBM was the only provider that could have the systems be interoperable.

Having said that, we have made significant strides to increase accountability. There are new procurement rules. We are curtailing unnecessary expense claims and additional mechanisms for accountability and transparency which have not been in place—

The Speaker (Hon. Steve Peters): Thank you.

Ms. Andrea Horwath: The Acting Premier, Minister of Finance and other cabinet ministers approved a \$30-million untendered contract. That's a fact. They stood by as insiders picked up lucrative consulting gigs and engaged in practices which they are now admitting, and this minister just said it himself, would not be allowed today. Why did the CEO and chair of the board of eHealth lose their jobs while every member of the McGuinty cabinet has held on to theirs?

Hon. David Caplan: In fact, the rules were followed as they have been in place under all previous governments. The rationale for sole-source contracts are potentially twofold. One is when there is an urgency in place or when there is one vendor or one individual with expertise in that particular area. That was the case in this situation, where it was a program designed to be able to interoperate with the existing OHIP system, which had been in fact designed, developed and delivered by IBM. The suggestion that IBM is somehow some government insider, frankly, is ludicrous. This is a company which has a long history and was, as I said, the original designer of the mainframe and the original designer of the database, systems which served Ontarians well over decades and will continue for many more years.

TAXATION

Ms. Andrea Horwath: To the Acting Premier: The Liberals' unfair tax grab not only makes life more expensive for Ontarians, it will also make it harder to find a job in this province. A study commissioned by the chamber of commerce concluded that harmonization will slow employment growth by as much as 40,000 jobs a year. Does the Acting Premier have any evidence that this study is wrong, or is he ready to admit that the unfair tax scheme and the HST is a job killer?

Hon. George Smitherman: The Minister of Finance.

Hon. Dwight Duncan: The HST and the tax cuts that go with it are designed specifically to create jobs and will do just that over time.

The leader of the third party takes the chamber of commerce report out of context and doesn't read the rest of the report. In addition, I would point out to her even more recent information that was made available from the Toronto Dominion bank on September 18. It says: "In order for businesses to generate an increase in demand for their products they will have to pass those savings on to customers. This in turn should help spur business investment, employment and income growth."

1050

This is the right policy—the HST with the tax cuts—that will help this economy once we get out of this downturn. It will help create jobs in manufacturing, the forestry sector and indeed right across all sectors of the Ontario economy.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: The chamber's study is very clear: As many as 40,000 more Ontarians will remain unemployed under the HST scheme. But they're not the only ones reaching this conclusion. In a different report, the C.D. Howe Institute also concludes that the harmonized sales tax will slow employment growth by nearly 40,000 jobs a year. Can the Acting Premier produce a single study that shows the McGuinty harmonization scheme won't lead to higher unemployment?

Hon. Dwight Duncan: Again, the NDP leader takes that out of context and completely out of order. The C.D. Howe Institute, the TD Bank, the Ontario Chamber of Commerce—

Interjection: Hugh Mackenzie.

Hon. Dwight Duncan: —Hugh Mackenzie, the Ontario Labour Federation all talk about this policy as being the right policy to create jobs. I remind her as well that the Ontario forestry industry has said the same thing. The Ontario manufacturers have said the same thing.

That member and her colleagues may not want to help fix this economy. We are doing this to create jobs, to improve incomes and make Ontario more competitive going into the future.

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: Well, me and my colleagues know exactly who we stand up for in the province, and that's the people of Ontario.

In the middle of a very serious recession, people expect their government to protect jobs and to make life more affordable. Instead, the McGuinty government is ignoring them and making an unfair tax on every single person in this province, a scheme that's going to make life much more difficult and much less affordable and kill 40,000 jobs. That's 40,000 Ontarians, 40,000 families that are not going to be able to come home with a paycheque as a result of this harebrained scheme. Will the Acting Premier produce some kind of evidence that this scheme is not going to make life harder for a whole lot more Ontarians?

Hon. Dwight Duncan: Indeed, we have produced a good deal of evidence. I've referred the member opposite to that. But I am glad to hear that she's now renouncing the request her predecessor made for us to raise the PST.

You know, here are some other—I mean, I'm glad she is concerned about tax increases. They raised personal income taxes on the poor in Ontario by \$500 million when they were in office. On the contrary, Hugh Mackenzie—and I know Mr. Mackenzie is—

Interjection.

The Speaker (Hon. Steve Peters): The member from Hamilton East.

Interjection.

Hon. Dwight Duncan: —briefing the member for Hamilton Centre and her colleagues that they're missing the boat on this issue.

This plan is about lowering taxes for low-income Ontarians. This plan is about creating jobs. This plan is about a brighter future for Ontarians with modest incomes. It's a plan; it's the right plan. That party has no plan, no ideas. It's tied to yesterday. We'll continue to move forward—

The Speaker (Hon. Steve Peters): Thank you. New question.

AGENCY SPENDING

Mr. Robert W. Runciman: My question is for the Minister of Tourism. Why did the McGuinty Liberals hand out an untendered contract, worth multi-millions, to a US company to run the Maid of the Mist for the next 25 years?

Hon. Monique M. Smith: The member would be aware that the Maid of the Mist contract has been the topic of some discussion, and that one of the former members of the board of the Niagara Parks Commission made a reference to the Integrity Commissioner, who reported in the spring and found that there was no wrongdoing on behalf of the Niagara Parks Commission. However, she did recommend that they review that decision, and they have recently reviewed that decision. They have confirmed their decision to issue the contract to the Maid of the Mist Corp. and they are presenting that decision to my ministry. I believe we received their documents at the ministry last week and I look forward to hearing. My ministry will be doing an analysis and will be providing me with advice as to whether or not it should be brought forward to cabinet.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Robert W. Runciman: Again, as the minister knows, a contract of this size and duration must be approved by cabinet. Apparently, cabinet is about to give this multi-million-dollar, 25-year contract the green light despite Premier McGuinty's edict against untendered contracts. We haven't heard anything different. It may have something to do with a fellow by the name of Bob Lopinski, a lobbyist for the US company and former director of issues management for Premier McGuinty.

My question is: Are close members of the Liberal family like Bob Lopinski exempt from the so-called ban on untendered contracts? Is that the deal over there?

Hon. Monique M. Smith: Unlike my colleagues on the other side of the House, this Ontario government is committed to openness, transparency and accountability.

The Niagara Parks Commission has reviewed its decision on the lease, taking into consideration, as we advised it to do, the audit, guidelines on revenue-generating opportunities, leading agency governance practices and expressions of interest related to boat tourism attractions. This was in line with the recommendations made by both

the Integrity Commissioner and myself as I asked them to review this decision.

As I said to the member's previous question, the decision of the parks commission has been presented to the ministry. My ministry is in the process of reviewing that and doing the due diligence. No decision has been made; no proposal has been made to cabinet as of this date. Again, I would just clarify for the member this is, in fact, a lease and not a contract and that we are continuing to look at their decision and—

The Speaker (Hon. Steve Peters): Thank you. New question.

AGENCY SPENDING

Mr. Paul Miller: My question is to the Minister of Labour. Stories are abounding about the excessive expenditures of the WSIB chair—not only his apparent abuse of public money, but doing this while enjoying a triple-dipping income.

When is this minister going to rein in this high-flying WSIB chair?

Hon. Peter Fonseca: I thank the member for the opportunity to say that the WSIB recognizes that the environment has changed. The WSIB expense policies were reviewed two years ago, and at that time certain expense practices were deemed unacceptable. Certain expenses that may have been acceptable at that time are no longer acceptable today. On an ongoing basis, all expenses will be reviewed by the Integrity Commissioner and must meet approval by the Integrity Commissioner.

This government has taken more steps towards accountability and transparency to further protect the taxpayers' dollars, and this government has made changes to policies that former governments deemed acceptable.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Paul Miller: Johnny-come-lately, I guess. I've raised many serious concerns about the management of the WSIB under this chair. I've asked for his resignation. I don't know how many times after his mismanagement of the experience rating file and the excessive wait times for injured workers to have their claims satisfactorily settled. Now we know why these problems are so rampant: Rather than doing his job, Mr. Mahoney is expensing alcohol while dining at high-end restaurants. He even admitted to this and he admitted to the wrong.

This government was quick to fire a woman whose expenses were questioned, but why won't they fire their WSIB good old boy?

Hon. Peter Fonseca: WSIB Chair Mahoney takes his role and responsibility as the chair of the WSIB very seriously. He works with advocates, injured workers and stakeholders to lower injury rates and to ensure that Ontario workers are protected in the workplace.

One of the member's colleagues, the member from Parkdale—High Park, has had the opportunity to sit down with Chair Mahoney. Also, we just heard there was a letter sent by the official opposition to Chair Mahoney—a pat on the back letter saying he's doing a great job. It

said, "On behalf of all the members of the PC caucus, I thank you for the good work that you do."

I ask the member to have the common courtesy to contact the chair, sit down with the chair and get your facts right.

TAXATION

Mr. David Zimmer: My question is for the Minister of Revenue. The real estate industry plays a huge role here in the city of Toronto, especially in Willowdale. We've all seen a number of letters to the various editors of the newspapers from the real estate sector, questioning the harmonized sales tax. The real estate industry in Ontario employs 33,000 people in Toronto alone, and the finance and real estate industries together employ over 400,000 people across Ontario.

I've been speaking to my constituents in the real estate sector. They're concerned about implementation of the HST and what it's going to mean for them. Minister, what's the effect of the HST on the real estate sector?

1100

Hon. John Wilkinson: I want to thank my friend for the question. It's important that we have an economy that's growing and generating jobs. I talked to my friends in the real estate industry, and what they tell me is, they would rather sell houses in a market where people are buying and selling because they're creating wealth, than be in a market where they're buying and selling because people are losing their homes because they've lost their jobs. The single most important thing that we can do, I say to the member, is to ensure that we have a vibrant economy and so harmonizing our sales tax and accompanying that with significant tax savings, some \$15 billion over the next three years for people and business, is all about making sure we have people getting back to work.

I want to thank the real estate agents in the province of Ontario, who make a vital contribution to our economy, but I know that they're looking at the bigger question as well. We need to get the rate of unemployment down in this province, we need to be generating wealth, and we know that the real estate agents will play their part. Overall, the sector will see a substantial reduction—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. David Zimmer: There's a lot of misinformation floating around about the HST. In fact, there's a great deal of support for this in the business sector—because it makes Ontario more competitive, it creates jobs. Michael Smart's study on the effect the HST had on the Atlantic provinces revealed that harmonization led to consumer price reductions and increased business investment. One hundred and thirty countries have harmonized their HST. Supporters of HST in Ontario include the TD Bank, the C.D. Howe Institute, the Ontario Chamber of Commerce, the Ontario Association of Food Banks and the Ontario Non-Profit Housing Association.

Minister, will the HST make Ontario more competitive and create jobs? Who do we believe on this? Those who are misinformed, or institutions like the TD Bank and others that I've just named, which are operating in a very competitive—

The Speaker (Hon. Steve Peters): Thank you. Minister?

Hon. John Wilkinson: I come to this place after being in business for some 20 years, and I understand the demands of the marketplace. I say to our business leaders particularly, as many more look at this, that it is very important for them to understand both sides of the equation. Yes, we are going to modernize our tax system and drag it out of the 20th century and modernize it, but as well, at the same time, we're taking all of that money and we're substantially reducing income taxes for small business, for business and for people. For every \$3 of tax cuts, two of those dollars go to individuals and one goes to business. It's all about ensuring that our economy can compete and win in the 21st century. That is what is going to lead to more jobs, and if we don't help people get back to work, of course, it takes all of our vital services and puts them at risk. That's why it's important. On this side of the House, we've made a difficult but a very deliberate decision about what we believe is required to ensure that Ontario comes out of this recession stronger than ever.

ONTARIO LOTTERY AND GAMING CORP.

Mr. Peter Shurman: My question is for the finance minister. A pattern has developed where the McGuinty Liberals will say anything to change the channel. The finance minister knows that no one has been talking about closing casinos. What we've been talking about is how to make the casinos in your portfolio do what they are supposed to do and what you claimed they would do: add to the revenue of the province, and not just the revenue of the minister's riding. Other OLG casinos are profitable. What is the Minister of Finance's plan to make the Windsor casino profitable? Do you even have one?

Hon. Dwight Duncan: I'm glad that the member clarified what he said on Friday. In fact, the reason we made the investment we did four years ago was to ensure that that casino could continue to compete in a very competitive marketplace in that region. There's no doubt that the gaming industry across North America is down considerably: large publicly traded companies, as well as the publicly owned casinos.

Overall, we will continue to work with the OLG. That investment we made in a convention centre and in a major entertainment facility, which are second to none and compete very effectively against the four casinos in Detroit, was precisely what was needed most, precisely what was recommended by the OLG, and precisely what was recommended by people in the gaming industry to ensure the ongoing—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Peter Shurman: Again for the minister: It appears that in Ontario the answer to, "How does one start a small business?" appears to be, "Start a large one and let Minister Duncan and the Liberal family run it."

Minister Duncan budgeted \$400 million to expand it and spent \$430 million instead. He added an unbudgeted \$80 million for a power plant. The agency he oversees is throwing another \$200 million in to keep the casino running. This is the same minister who plans the budget for the province of Ontario. How much more should Ontario taxpayers spend so that you can try to make sure that Windsor-Tecumseh stays in the Liberal family?

Hon. Dwight Duncan: The casino initiative in Windsor was begun under the New Democrats and was advanced under the Conservative government. We made the kind of investment that's important to help maintain the competitive position of that casino relative to the Detroit casinos that have opened in the last six years.

There's no doubt that the tourism industry in Ontario has seen a downturn as a result of a number of factors, which I reviewed with the member in previous questions. But the investment we made was precisely the investment that was called for by the industry. It was precisely the investment that was recommended by the board at that time. It was precisely what was needed to ensure the ongoing competitiveness of that casino, which has yielded a net profit of in excess of a billion dollars to this province since its opening in 1996.

WASTE DISPOSAL

Mr. Peter Tabuns: My question is to the Minister of the Environment. Last month, Simcoe county cancelled its plans to build a dump at site 41 in the face of widespread community opposition and growing evidence of damage to the water table, but the provincial government certificate of approval for the site has not been withdrawn. Residents are concerned that the council may in fact sell that site to a private dump operator. Will the minister put an end to the dump at site 41 once and for all by revoking the certificate of approval?

Hon. John Gerretsen: First of all, as the member well knows, the decision to have a landfill site anywhere starts and is initiated by the local council or, in this case, the county council, and they did that a number of years ago.

I can tell him, from all of the various discussions that I've had with my ministry officials who have been involved ever since the site was first approved, that from a scientific viewpoint there was absolutely nothing wrong with respect to the landfill being there.

Interjections.

Hon. John Gerretsen: Well, that's the best advice that we were able to deal with from a ministry viewpoint.

The council has decided not to proceed with their project, which is their decision, and we certainly agree with that decision as far as their being the right authority to deal with that particular matter is concerned.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Peter Tabuns: Yes, obviously a supplementary.

Come on. I mean, have you been reading what's out there in the public domain about that site? I was there with you in front of the Ministry of the Environment building when the citizens brought in those bottles of contaminated water. Have you sent people out to check what happened after the excavation started? We've got a problem here. We've got a county that spent millions of dollars on this dump. There are substantial questions about the threat to an aquifer in this province. You are just sitting there not taking the action that has to be taken. You should be committing money to that county so it can reduce waste, so it does not have to have this landfill. You need to revoke this certificate of approval. Are you going to do that?

Hon. John Gerretsen: First of all, this government is very proud of the actions that we have taken with respect to waste diversion in the province of Ontario. We have started a municipal hazardous waste collection site. We are taking action with respect to the collection of electronic waste. We are taking action with respect to composting. We have put a document out there which calls for zero waste. And yes, we want to go toward zero waste in this province. But in the meantime, until we actually get there, landfills are necessary, and it is the obligation and responsibility of the Ministry of the Environment to make sure that those sites are scientifically sound. This particular site, from a scientific viewpoint and from a ministry viewpoint over the last number of years, is a scientifically sound site.

1110

EASTERN ONTARIO DEVELOPMENT

Mr. Phil McNeely: My question is for the Minister of Economic Development and Trade. On August 31 of this year, I had the privilege of make an announcement about an eastern Ontario development fund grant to a firm called Canadian Hydro Components in the beautiful town of Almonte, Ontario. This very successful Ontario-based business produces turbines and other equipment for use in small to medium-sized hydroelectric generating projects. The firm is investing over \$1 million to upgrade its facilities and purchase new equipment, which will allow it to access new markets and create 10 new jobs over the next five years. Ontario's contribution of \$159,000 through the eastern Ontario development fund was a vital component of moving this expansion forward. CHC's president had strong words of praise for the Ontario government for its work in helping to create green jobs, in this case through the eastern Ontario development fund.

Would the minister please let the members of this Legislature and Ontarians know if there have been similar success stories and what kind of employment is being generated by—

The Speaker (Hon. Steve Peters): Thank you. Minister?

Hon. Sandra Pupatello: I'm happy to speak of the success of the eastern Ontario development fund. As you know, we launched this a year and a half or so ago, and it's very important to show that the Ontario government can also help small town Ontario, in particular eastern Ontario, which faces some chronic issues, with assisting business to move forward. Even in these economically challenged times, we have had \$11.3 million out the door to small business in eastern Ontario, and that \$11.3 million leveraged over \$72 million being invested in these small and medium-sized businesses.

For example, Laflèche Environmental in Moose Creek: They were able to create 10 additional jobs with funding that we provided of \$531,000; 10 jobs, that's really important to a town like Moose Creek. Mariposa Dairy, in Lindsay, was able to create 11 new jobs over two years with assistance of \$172,000—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Phil McNeely: I thank the minister for that explanation and encourage her to continue supporting the EODF, which creates so many jobs in eastern Ontario.

Minister, Ontario is changing, and job creation in my area of the province, especially in smaller communities, is vitally important.

Historically, Canadian Hydro Components has been working with an excellent staff of highly skilled people to deliver turbines and turbine maintenance, mainly in the United States and Europe. They have made major investments in equipment and facilities and are looking to expand into new markets, including in Ontario, which would create new jobs. Minister, additional business for Canadian Hydro Components would be good for Almonte, for Ontario and for our government as an investor in their capacity.

Would you please let us know what this government and your ministry is doing to create additional business opportunities, and by extension, jobs, for companies like CHC in the global market and right here in Ontario?

Hon. Sandra Pupatello: I know that many companies, including CHC, are taking advantage now of the globally competitive tax policy that we've initiated, especially over the course of the last three years.

In addition, we've had other funds where we've reached out to partner with business. Often they've heard of the Next Generation of Jobs Fund, the advanced manufacturing investment strategy and this eastern Ontario development fund, a great success story for eastern Ontario.

They are making use of the kinds of business mission opportunities that we provide to get them export locations for their products. This particular company, CHC, is also taking advantage of Ontario becoming known as the green province thanks to the Green Energy Act, where we're out there selling Ontario as a green location. It provides a market right in our backyard for companies like CHC and, in addition, lets others know that our products are available to the world. That's the kind of work that we're doing at our ministry.

ELECTRONIC HEALTH INFORMATION

Mrs. Christine Elliott: My question is to the Minister of Health. Over the weekend, we've had the opportunity to learn more about the forthcoming Auditor General's report. During the summer of scandal, the Premier and his ministers were saying that they were innocent third parties to the contracting at eHealth. Then last week, the Minister of Health changed his story, saying the Management Board's awarding of a \$30 million untendered contract to IBM was given to maintain consistency with the OHIP program. In fact, we've heard a variation of that theme again today.

Sarah Kramer made a statement over the weekend saying that she warned your government that the untendered IBM contract was ill advised. Minister, you threw Sarah Kramer under the bus in order to avoid your ministry's accountability for this fiasco. Why did you say this was a decision of eHealth, when it was not?

Hon. David Caplan: Nothing could be further from the truth. I'm not going to comment on Ms. Kramer, but I can tell you that a number of individuals have weighed in with their accounts about what happened at eHealth. The one I want to hear from most is an independent officer of this Legislature, the member referred to in her question, and that's the Auditor General. That's why I contacted the auditor. We got him in. We've asked him to issue his report as quickly as possible, and I believe that he will be doing so on Wednesday. That's why I've taken these concerns very seriously and have taken swift action to ensure that we're using taxpayer dollars in the most prudent fashion.

The member talks—

Interjection.

Hon. David Caplan: Well, I hear the member from Leeds-Grenville. In fact, the auditor's report will be subject to public account scrutiny of all members of this Legislature, as he well knows. Of course, that's the kind of openness that members on this side of the House have had and will continue to have, in contrast to what we've seen on the other side, and I'll be able to share examples—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mrs. Christine Elliott: The facts here are very simple. One untendered contract worth \$30 million was given by this government against advice, but cabinet ministers and the McGuinty government went ahead and made the decision anyway. This was not a decision of the arm's-length agency of eHealth. This lands right on the McGuinty government's doorstep. The finger pointing ends here. Minister, will you do the right thing and step down today?

Hon. David Caplan: The facts are quite contrary to what the member says. In fact, there is a long history with sole-sourcing in the province of Ontario—

Interjections.

The Speaker (Hon. Steve Peters): Minister?

Hon. David Caplan: The Ontario Conservative Party, in 1999 to 2003: \$1.5 million in sole-source contracts to

IBM. In fact, in the spring of 2000 Ms. Witmer, then-Minister of Health, awarded a \$100,000 sole-source contract to Glen Wright, then the chair of the WSIB. In fact, the Auditor General made several comments back in his 2002 report about the practices—

Mr. John Yakabuski: But not the \$30 million.

Interjection.

Hon. David Caplan: Well, the member opposite says—for Smart Systems, an IT sole-source contract for \$12.7 million; Integrated Services for Children Information System, IT sole-source contracts for \$8.5 million.

I say to the member opposite, talk to your leader, who was there at the time, and talk to the members opposite who are also colleagues. These were the practices that were in place—practices, in fact, that have been ended under this government. I'm quite—

The Speaker (Hon. Steve Peters): Thank you. New question.

NORTHERN ONTARIO DEVELOPMENT

Ms. Andrea Horwath: My question is to the Acting Premier. There's a jobs crisis in northern Ontario, and this government doesn't know what to do about it.

Example one: In Sault Ste. Marie, StatsCan reports that EI benefits have risen a whopping 80% in the last year alone, and in the greater Sudbury region there were an astounding 152% more people collecting EI than a year before.

How many more jobs need to be lost before this government finally comes up with a jobs plan for northern Ontario?

Hon. George Smitherman: By way of supplementary, I think the Minister of Northern Development, Mines and Forestry will want to speak about some particular initiatives. But I do want to say to the honourable member that in a variety of ways our government has been very proactive at making investments in northern Ontario that are designed both to affect short-term employment and to be beneficial longer-term.

As an example, you've got an unprecedented amount of hospital construction going on, in Sioux Lookout, in Sault Ste. Marie, in Sudbury and in North Bay, just as some examples.

The initiatives with respect to green energy in our transmission directive are about making substantial investments in transmission in northern Ontario that will allow for much greater harnessing of natural resources in northern Ontario to the benefit of all Ontarians.

With respect to the opportunities for northerners to be involved in that kind of economic development opportunity, we've enhanced funding for the northern Ontario heritage fund to be a participant in initiatives that can enhance employment. These are amongst a suite of things that we're doing to—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

1120

Ms. Andrea Horwath: Even Thunder Bay has seen EI claims increase by 42%, and that's with the benefit of

the recent TTC streetcar and subway train contracts. It'll get even worse, though, if the federal government agrees to the deal with the US government that would effectively forbid a buy-Ontario policy. The north and, in fact, all of Ontario is going to suffer. With so much at stake, why isn't the McGuinty government opposing any trade deal that prevents local tax dollars from being used to create good-paying jobs here in Ontario?

Hon. George Smitherman: The Minister of Northern Development and Mines.

Hon. Michael Gravelle: We are very, very proud of the job creation policies that our government has brought forward. Minister Smitherman mentioned the northern Ontario heritage fund. We have retained over 12,000 jobs in northern Ontario over the last six years through the heritage fund, increasing the funding from \$60 million to \$70 million, now to \$80 million—an economic development fund that makes a difference.

In terms of our highway construction in northern Ontario—record-breaking investments every single year: \$648 million this year, with expanded job opportunities in light of that as well.

In terms of our forestry sector, a wonderful announcement a couple of weeks ago in terms of the forest sector prosperity fund and the heritage fund, bringing the Pop-sicle stick capital of the world to Thunder Bay. A very exciting thing—Global Sticks coming to Thunder Bay.

These are great opportunities that we are seeing brought forward and many other opportunities that are coming as a result of our new, modernized Mining Act. We're very excited about the opportunities that will bring as well. So, indeed, jobs—

The Speaker (Hon. Steve Peters): Thank you. New question.

AFFORDABLE HOUSING

Mr. Mike Colle: It's to the Minister of Municipal Affairs and Housing. Each year, the first Monday in October is marked as World Habitat Day, a United Nations-sponsored initiative organized by the UN human settlements program. At the global celebration of World Habitat Day, the World Habitat Awards will be presented.

I understand that the awards were first created over 20 years ago to recognize groups that combat homelessness and poverty. This year, an Ontario organization has been nominated for this prestigious award. Would the minister tell the House which Ontario organization has been nominated by the United Nations for this award?

Hon. Jim Watson: I thank the honourable member from Eglinton—Lawrence. I'm very proud of the work being done by Home Ownership Alternatives Non-Profit Corp. This organization is a non-profit corporation that provides financing to develop affordable housing in the province of Ontario. They use a range of financial mechanisms to enable low- and moderate-income Ontarians to become homeowners.

To date, they have supported 11 affordable housing projects that are providing close to 2,400 families with a

home. Home Ownership Alternatives is one of the many partners that my ministry and the province of Ontario are working with to meet the affordable housing demands in Ontario.

I'm very proud of the work they are doing. I congratulate them on being recognized as a finalist for the World Habitat Awards. I look forward to cheering them on this evening.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Mike Colle: Great organizations like Home Ownership Alternatives, which is in Ontario, and many non-profit housing organizations across the city of Toronto in my riding are asking: Did you succeed in finally getting the federal government to the table to be a partner in building affordable housing in the city of Toronto and in cities across this province, because there are over 50,000 people waiting for this housing? It would also create jobs because many people are coming to my door looking for jobs in construction. Have you done your job? Have you succeeded in getting the federal government to the table and building some housing in this province?

Hon. Jim Watson: I'm pleased to report that I have succeeded and the federal government is back in the housing business.

Minister Duncan and Premier McGuinty put \$622 million in the last provincial budget; the federal government is matching that money. We have \$1.2 billion to spend in the next two years. That will provide 4,500 new affordable housing units in the province, and 50,000 housing units will be renovated and retrofitted. To date, \$172 million has been approved, and \$76.5 million was announced this summer through our quick starts program.

As you also know, we are putting money into housing repairs. Twenty-one million dollars has been committed to date, and with this investment, as the member asked about job creation—because housing construction creates a lot of jobs—we estimate that 23,000 Ontarians will be put back to work on building houses for the people of this province.

CHILDREN'S AID SOCIETIES

Ms. Sylvia Jones: My question is for the Minister of Children and Youth Services. Minister, 36 of the 51 children's aid societies across Ontario have filed section 14 requests asking for a ministerial review of their budget. They know they cannot fulfill their legislated mandate with the budget cuts your ministry is forcing halfway through their fiscal year.

Minister, in this National Family Week, how do you explain the fact that there have never, ever before been so many requests for section 14 reviews?

Hon. Deborah Matthews: I welcome the question from the member opposite. CASs are so important to all of us. The sustainability of CASs is critical. The kids that the CASs serve and protect are our greatest responsibility.

Having said that, there has been unsustainable growth in spending at CASs. Over the last 10 years, spending has almost tripled: It's gone from about \$500 million to \$1.4 billion. We have been working with CASs for the past several years. Last year we made it very clear that there would be no end-of-year funding for them. We've reiterated that this year. We actually have \$30 million more in this year's budget than in last year's budget. The difference is that we are not going to be able to do the end-of-year top-ups that they have become—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Ms. Sylvia Jones: The minister's words do not match her action. You know full well that the services the children's aid societies provide are mandated by legislation. They have a legislative responsibility to protect children in jeopardy. Your cuts will mean reductions in front-line staff.

Minister, what services are you recommending being cut to protect the vulnerable children in Ontario?

Hon. Deborah Matthews: First, let me say I'm happy that the party opposite is focused on this issue, because it's a very important issue. As I said earlier, our budget this year is \$30 million more than our last year's budget. The difference is that we are not going to be providing the end-of-year funding.

The question is about the mandate, and I think you've raised a really important question. That's why we're moving forward with a commission that will actually look at what is driving the costs: Why is it costing so much more to deliver service? We know that this is a very important responsibility of government, but there are things that CASs do that are actually not part of their legislative mandate. It's very important that every CAS look very hard at the range of services they provide and make sure they can meet their budget this year.

AIR QUALITY

Mr. Peter Tabuns: I have a question again for the Minister of the Environment. Thousands of Toronto residents and Toronto's medical officer of health are vehemently opposed to the government's plan to use archaic and polluting diesel trains along the congested Georgetown South rail corridor. People fear for their own and their children's health.

Can the minister explain how the proposed diesel trains will impact levels of pollutants such as nitrogen oxide and fine particles?

Hon. John Gerretsen: As the member well knows, a decision has to be made within the next little while with respect to the environmental assessment that has been provided by Metrolinx in this area. Until that happens, I simply will not respond to his particular question.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Peter Tabuns: The answers keep getting weaker. In an e-mail to the ministry on September 11, McCormick Rankin consultants concluded that the diesel trains to the airport will increase foreign particle emissions

three times and nitrogen oxide emissions tenfold over car transport. That's an astoundingly dirty installation.

While the government studies the electrification of the Georgetown South corridor, it's allowing diesel trains to the airport that will harm the health of tens of thousands of Toronto families living next to the line. Why won't the government at least wait for the results of its own study before saying yes to dirty diesel trains?

Hon. John Gerretsen: As the member well knows, this government has been actively involved in the last four or five years in making sure that as much transit is put into operation as soon as possible so we can take the cars off the road, which will lead to a healthier environment for the people of Ontario. That is precisely what all of these various transit projects are about. That's precisely why this government has invested literally billions of dollars: to make sure that people have an alternative to driving their car in and out of, particularly, the GTA area.

We're dealing with these issues. We need more transit, and everything that we do within the Ministry of the Environment and the Ministry of Transportation is to make sure that the people of Ontario have a cleaner environment than they had before. That's why we need more transit on the road, as much as possible.

IMMIGRANT SERVICES

Ms. Sophia Aggelonitis: My question is for the Minister of Citizenship and Immigration. Canadians' values are well-known across the world. Our commitments to equality and multiculturalism have become symbols of our country. However, what alarms me is that newcomers who have become Canadian citizens and require federal government services are unable to access them. Could I ask the Minister of Citizenship and Immigration to tell us what we are doing to ensure newcomer Ontarians who are Canadian citizens do not find themselves in this very difficult circumstance?

Hon. Michael Chan: The member from Hamilton Mountain raises a very important issue. Citizenship should not be a barrier to obtaining newcomer services. That certainly is not the case with provincially funded services here in Ontario, but the eligibility criteria the federal government applies to its programs is of grave concern to me, in particular the fact that newcomers who become Canadian citizens are unable to access services funded through the Canada-Ontario immigration agreement, worth \$920 million. Much-needed services should be included through this funding.

I'm committed to finding a fair solution for Ontarians through negotiations with the federal government.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Sophia Aggelonitis: Thank you, Minister. I'd like to, in my supplementary, ask the Minister of Citizenship and Immigration: As the daughter of Greek immigrants, I know how challenging it can be to start a new life in a new country. When Ontarians are not able to access the services that they need, it impacts the entire community. Mr. Speaker, through you to the Minister of Citizenship and Immigration: What are the plans to improve this

system that is clearly not working for newcomers in Ontario?

Hon. Michael Chan: There are certainly steps we can take to enhance support for Ontario newcomers. My ministry works closely with partners who are responsible for delivering these much-needed services in our community. We have been much more adaptive in meeting the needs of our partners and the needs of those who need the services. This is why we are asking for full control of the fund; namely, devolution: to better help newcomers. We are asking the federal government for the same arrangement that BC, Manitoba and Quebec have had for years.

We are committed to helping our newcomers during these challenging times because we know that when newcomers smile, Ontario smiles.

The Speaker (Hon. Steve Peters): The time for question period has ended. There being no deferred votes, this House stands recessed until 1 p.m. this afternoon.

The House recessed from 1133 to 1300.

MEMBERS' STATEMENTS

WIREMOLD/LEGRAND

Mr. Ted Arnott: Last Tuesday, I learned that Legrand Canada Inc. had decided to permanently close its manufacturing facility in Fergus, a plant known locally as the Wiremold factory. This means at least 53 employees could soon lose their jobs through no fault of their own. For all of them, it's devastating news.

For years, Wiremold/Legrand has excelled in manufacturing flexible wire and cable management solutions, including perimeter raceways, infloor, overhead, open space and point-of-use systems. Critical to Wiremold's success has been its lean manufacturing principles and specialized custom work. On Thursday, I saw this in practice when I toured the plant and met with some of the staff. That very afternoon, I e-mailed the Ministers of Economic Development, Labour and Training to seek their help. Today, I once again call upon the government to do whatever it can to help those affected. It's time for this government to take seriously our province's economic competitiveness, over the short term and the long term.

Since 2005, I've been calling upon the McGuinty government to hold hearings on the competitiveness of our manufacturing sector. They refused to do that. Their economic negligence has come at a very high price. If only they'd listened, maybe this province would be in better shape; maybe we wouldn't have lost 330,000 manufacturing jobs since this government took office in 2003.

I know that workers at Wiremold, like others in Wellington-Halton Hills and across Ontario, can compete with the best and win. Again, I call upon this government to help make—

The Speaker (Hon. Steve Peters): Thank you.

CREDIT VALLEY HOSPITAL

Mr. Bob Delaney: Since 2003, Ontario has strengthened our vital public services, reduced class sizes, improved health care, cut business and personal taxes and helped ensure that Ontarians are better off now than they were six years ago.

In western Mississauga, there is no more visible indicator of that progress than the construction activity at Credit Valley Hospital's phase two expansion. It began in the spring of 2007 and is due for completion in less than two years. In fact, the first complex continuing care patients will occupy Credit Valley beds during 2010. The three construction cranes on the site are now down to one. The project employs about 230 GTA trades at any given time. As is normal in Mississauga, construction of phase two's A and H blocks are on time and within budget.

When phase two is complete in 2011, it will give western Mississauga 273,000 square feet of new hospital construction and 70,000 square feet of renovated space. It will add 79 new beds to the hospital, double the number of labour and delivery rooms to 15, expand cancer treatment resources to include a new high-dose radiation therapy suite, and provide more capacity for neonatal care, increased diagnostic services and an expanded laboratory.

All of us in Mississauga are proud of the progress and pleased to have played a part in it.

AGRICULTURE INDUSTRY

Mr. Ernie Hardeman: I'm pleased today to rise to mark the start of the 11th annual Ontario Agriculture Week. This is a great time to recognize the contributions that the agriculture industry makes to our province. Farmers are the stewards of our land. They are the backbone of our rural communities. We depend on them to put food on our table each and every day.

Agriculture week is also a good time to take stock of the state of the industry. Many farmers in Ontario are in trouble. Pig farmers are losing their farms and they cannot get the support they need from this government. We are getting calls from grape growers who are stuck with the grapes in the fields that they cannot sell. The latest blow is that this government negotiated away farmers' point-of-sale exemption. Not only will farm families have to pay 8% more on items that they use every day, but farmers will now have to pay PST on many farm costs and then wait to get their money back from the government.

Ontario needs a strong agriculture industry. The people of Ontario are doing their part by trying to buy local, and I encourage them to continue to look for the product of Ontario labels when buying food and ask grocers if they don't see it on the shelf.

Now is the time for the government to do its part to ensure a strong agriculture industry. Our government must do more than sing about the great things that grow

in Ontario; it must support the farmers with some real action.

FLU IMMUNIZATION

Mr. Eric Hoskins: Many residents of St. Paul's have asked me about the upcoming flu season and H1N1 and how they might best protect themselves and their families from infection. As their MPP but also as a public health specialist, I've been advising them of the following:

The McGuinty government wants to prepare all Ontarians for the upcoming flu season, which experts agree will be a different flu season than in previous years. With the emergence of the H1N1 virus in Ontario, two separate vaccines will be made available this fall. The flu vaccines will be rolled out sequentially with the traditional seasonal vaccine being available later this month for those 65 years of age and over and for those living in long-term-care facilities. This will be followed by the H1N1 vaccine. Once the H1N1 vaccine rollout is complete, all Ontarians who choose to can get the regular seasonal flu vaccine. This sequential rollout will get the vaccine to those most susceptible first and keep all Ontarians healthy.

In addition to vaccination, we should all continue to follow good hygienic practices to prevent the spread of influenza. Proper handwashing is one of the most important ways to protect yourself and eliminate the spread of flu. Hand sanitizers are also very effective. So wash your hands and wash them often.

We encourage all Ontarians to be proactive when it comes to their health. We in the McGuinty government will continue to work hard to ensure access to quality health services, preventing illness and providing a high quality of life for all.

AGRICULTURE INDUSTRY

Mr. Garfield Dunlop: I'm pleased to rise and make a few comments on this 11th annual Ontario Agriculture Week, and I'd like to specifically go back to August 30 when I held my second biennial farm family appreciation day at the Vasey ballpark. This is an opportunity that I have every two years to work with all the different farmers in Simcoe county and have sponsors come in and help us appreciate the work they do.

I want to thank, in particular, Huron Tractor, Richards Farm Equipment, Tom Smith Country Chev-Olds, the Sarjeant Co. Ltd., Cardinal Farm Supply, the Co-operators, Shaws Catering and Bill Hills Kawartha ice cream, Truact construction, Morris Shelswell and Sons construction, Lake Country Animal Nutrition and Mariposa Homes.

We had a very successful event. Over 300 people came to the farm family appreciation day at the large ballpark in the area where my colleague Sylvia Jones was raised. We had a wonderful time, but the whole fact is, we don't do enough in this province to appreciate the work that the agricultural community does. Over 300

people attended this function on August 30, and I just want to thank all those people who came and all those sponsors who helped me put on that particular event. It was a lot of work, but we had a lot of fun and showed that we in Simcoe county appreciate the fine work the farmers do.

ECONOMIC DEVELOPMENT

Mr. Dave Levac: The director of development services with the county of Brant, Dave Johnston, summed it up best when he said, "Private sector, alongside ... government support are a necessary component that fits in the economic engine that drives a community's economy."

The riding of Brant, alongside many communities across Ontario, has been hit hard by the world-wide economic downturn. Although it may seem that our future comes across as uncertain, a recent accord signed between the elected council of the Six Nations of the Grand River and the county of Brant, the Six Nations County of Brant green energy economic accord, will, no doubt, re-instill investor confidence in the great riding of Brant and help lead to a brighter future. Together in equal partnership, respect and friendship, the Six Nations of the Grand River and the county of Brant have committed themselves to reverse past differences and lead by example to get Brant's economic engine roaring again.

I want to personally congratulate Mr. Ron Eddy, the mayor, a former member, and Chief Bill Montour. Their leadership has already attracted private investor interest domestically and, just as importantly, internationally. I stand before the House and commit myself to ensuring that our government do all it can to work with these partners, to help them secure new and sustainable jobs that will carry Brant well into the future, and this is specific to creating green jobs.

I want to thank the staff of both of those governments, and I ask the government to help as a partner.

1310

ALGOMA UNIVERSITY

Mr. David Oraziotti: All members of this House know that Ontario universities are among the best in the world, and I'm very pleased with our government's latest initiative, to improve higher education at Algoma University in my riding of Sault Ste. Marie. In this competitive global economy, giving the students the skills and training to succeed in the knowledge-based economy closer to home builds stronger communities and a stronger economy. With increased financial support from the Ontario government, Algoma University will continue to grow in its mandate as Ontario's 19th independent degree-granting institution.

Our government has recently provided over \$4 million in funding to Algoma University, in addition to the regular operating expenses, to ensure that all students have improved access to post-secondary education pro-

grams, particularly those in remote and aboriginal communities. This funding will help the school hire new instructors and attract more students by expanding its programming to include four-year degree programs in biology, geography and mathematics.

Last month I had the privilege to participate in a groundbreaking for Algoma University's new Biosciences and Technology Convergence Centre, which is presently under construction, with \$8 million in support from our government. The new centre will further enhance the research capacity of Algoma, provide local students with state-of-the-art learning and stimulate Sault Ste. Marie's economy by creating 160 new jobs. The support is another important step in developing a northern research hub and producing skills-based jobs closer to home. This investment in Algoma University is part of our government's commitment to students pursuing higher education right across the province. While there is more to do, we will continue to work to ensure that the students have the skills they need.

CHILDREN'S AID SOCIETIES

Mr. Howard Hampton: The McGuinty government has begun to place severe cuts on the budgets of children's aid societies across this province and it's having a devastating effect.

I'll give you one example: the Rainy River children's aid society, in my constituency. Their blended funding rate is \$39 per child in care. That compares to a provincial average of \$79 per child in care, but the minister has just cut their budget by \$600,000. On a total budget of \$3 million a year, a cut of \$600,000 means they either have to close their office in Fort Frances or close their office in Atikokan. What happens to the kids in those communities when those services aren't available in the community?

To give another example, Tikinagan is a native child and family service provider in the far north. Tikinagan is struggling with what's happening in the community of Pikangikum, where over 400 of the 800 children are not in school, children as young as six and seven years old are sniffing gasoline, and there are over 160 children in the community who have been placed in protection. Tikinagan is stressed beyond belief. What does the McGuinty government do to Tikinagan? They cut their budget by \$2.1 million as they struggle to provide protection to these children who desperately need help and desperately need protection.

The McGuinty government has got to recognize that—

The Speaker (Hon. Steve Peters): Thank you.

TAXATION

Mrs. Carol Mitchell: Ontarians continue to read about the impacts of the current economic uncertainty. While the worst may indeed be over, the McGuinty government's bold tax reform package will make Ontario more competitive, providing the highly-skilled jobs Ontario workers deserve.

The TD Bank, the Ontario Chamber of Commerce and the Daily Bread Food Bank have applauded this move. They recognize the permanent tax cuts for 93% of Ontario taxpayers, transitional cheques for families and individuals and the introduction of the Ontario sales tax credit will make Ontario families stronger and our businesses more prosperous.

The Ontario Federation of Agriculture says the HST is good for farmers and that the leader of the official opposition has it wrong. For weeks now he has railed against this package, politicizing the issue and only telling half the story. You would think that anyone who felt this strongly would say that they are willing to repeal it. Yet, ironically, he refuses to take a stand. He avoids the issue despite repeated media questions and increasing support for the tax reforms from the communities. His silence speak volumes.

I think all Ontarians deserve to know where the Leader of the Opposition stands and they deserve to hear the whole story about how their family will benefit from these tax reforms. We on this side of the House know it's the right plan and we'll continue to work hard.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Mr. Pat Hoy: I beg leave to present a report from the Standing Committee on Finance and Economic Affairs and move its adoption.

The Clerk-at-the-Table (Ms. Tonia Grannum): Mr. Hoy from Standing Committee on Finance and Economic Affairs presents the committee's report as follows, and moves its adoption:

Your committee begs to report the following bill without amendment:

Bill 201, An Act to provide for review of expenses in the public sector / *Projet de loi 201, Loi prévoyant l'examen des dépenses dans le secteur public.*

The Speaker (Hon. Steve Peters): Shall the report be received and adopted?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1315 to 1320.

The Speaker (Hon. Steve Peters): All those in favour will please rise one at a time and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia
Albanese, Laura
Arthurs, Wayne
Balkissoon, Bas
Bisson, Gilles
Brown, Michael A.
Colle, Mike

Gélinas, France
Hampton, Howard
Hoskins, Eric
Hoy, Pat
Jaczek, Helena
Jeffrey, Linda
Johnson, Rick

McNeely, Phil
Meilleur, Madeleine
Miller, Paul
Mitchell, Carol
Moridi, Reza
Oraziotti, David
Prue, Michael

Crozier, Bruce
 Delaney, Bob
 Dhillon, Vic
 DiNovo, Cheri
 Dombrowsky, Leona
 Duguid, Brad
 Flynn, Kevin Daniel
 Fonseca, Peter

Kormos, Peter
 Kular, Kuldip
 Lalonde, Jean-Marc
 Levac, Dave
 Mangat, Amrit
 Marchese, Rosario
 Matthews, Deborah
 McMeekin, Ted

Qadri, Shafiq
 Ruprecht, Tony
 Smith, Monique
 Sorbara, Greg
 Sousa, Charles
 Van Bommel, Maria
 Zimmer, David

The Speaker (Hon. Steve Peters): All those opposed?

Nays

Arnott, Ted
 Dunlop, Garfield
 Elliott, Christine
 Hardeman, Ernie
 Hillier, Randy

Jones, Sylvia
 Miller, Norm
 O'Toole, John
 Ouellette, Jerry J.
 Savoline, Joyce

Sterling, Norman W.
 Witmer, Elizabeth
 Yakabuski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 44; the nays are 13.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Report adopted.

The Speaker (Hon. Steve Peters): Pursuant to the order of the House dated September 30, 2009, the bill is ordered for third reading.

INTRODUCTION OF BILLS

ANIMAL HEALTH ACT, 2009

LOI DE 2009 SUR LA SANTÉ ANIMALE

Mrs. Dombrowsky moved first reading of the following bill:

Bill 204, An Act to protect animal health and to amend and repeal other Acts / Projet de loi 204, Loi protégeant la santé animale et modifiant et abrogeant d'autres lois.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

First reading agreed to.

The Speaker (Hon. Steve Peters): The minister for a short statement.

Hon. Leona Dombrowsky: I'll be making my statement during ministerial statements.

STATEMENTS BY THE MINISTRY AND RESPONSES

ANIMAL HEALTH

Hon. Leona Dombrowsky: I just introduced for first reading the proposed Animal Health Act, 2009. If passed, this bill would improve Ontario's capacity to protect both animal and human health, address livestock diseases and respond to emergency situations related to animal health.

Ontario's livestock and poultry sectors generate more than \$4.45 billion in farm gate economic activity. These sectors are vital parts of Ontario's economic prosperity. That is why this government, since coming to office, has been working to support Ontario's agri-food sector. We established the Office of the Chief Veterinarian for Ontario, we've invested in the University of Guelph's Animal Health Laboratory and we have consulted with industry partners on how we can continue to build this industry.

We looked at similar jurisdictions in Canada and the United States, and found similar legislation present in all those jurisdictions. I'm pleased that we have with us today in the gallery representatives from our stakeholder organizations. We have Gord Coukell, chair of the Ontario Livestock and Poultry Council; Dr. Jennifer Day, president-elect of the Ontario Veterinarian Medical Association; as well as Dr. Deb Stark, an assistant deputy minister at the Ministry of Agriculture, Food and Rural Affairs. She is also the chief veterinarian for Ontario.

This bill provides measures that would reduce the potential impacts associated with animal diseases by giving us improved prevention and control tools. If passed, this legislation would require the reporting of certain animal diseases to the Chief Veterinarian of Ontario. It would also enable the use of quarantine orders, surveillance zones and animal health control area orders. This would help control the spread of any detected diseases or hazards.

We know that protecting our food animals can help us better protect our people. We know that having healthy animals is the first step to having quality food products. The proposed legislation would enable us to proactively identify and respond to animal diseases.

Traceability is an important tool for food safety and animal health. Traceability systems provide us with the means to track the movement of food animals and food products. If passed, the legislation would also support a future traceability framework for the quick identification and control of disease and food safety hazards.

If this bill passes, we plan to establish an industry advisory committee to work with us on the development of future regulations, including those around traceability.

This proposed legislation would help protect our animals against disease, make our agriculture food sector more competitive and also contribute to the good health of all Ontarians. It would provide protections that we need for a healthy economy, healthy animals and healthy Ontarians.

ACCESSIBILITY FOR THE DISABLED

ACCESSIBILITÉ POUR LES PERSONNES HANDICAPÉES

Hon. Madeleine Meilleur: I am pleased to speak today during Customer Service Week in Canada. Across the country, the focus is on raising awareness of cus-

tomer service and the vital role it plays within an organization.

Trop souvent, des obstacles empêchent des personnes qui ont un handicap à se prévaloir des services dont ils ont besoin et qui leur sont dus.

That is why our government's first standard under the Accessibility for Ontarians with Disabilities Act was all about removing these barriers and ensuring accessible customer service. By January 1, 2010, the Ontario public service and all other public sector organizations will be required to follow our first accessibility standard and provide customer service in a way that is accessible to people of all abilities. Two years later, the private sector will follow. Many businesses are already getting ready because they see how easy it is and they see the benefits.

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La Semaine du service à la clientèle est le moment idéal pour réfléchir aux différentes façons qui nous permettent de mieux servir ses clients, peu importe leur capacité ou leur handicap. Un service à la clientèle accessible repose sur une communication claire et respectueuse avec la personne qui a un handicap : être attentif aux besoins du client et y répondre promptement. Le service accessible commence avec ces simples mots : « Comment puis-je vous aider ? »

I encourage everyone to visit accesson.ca to learn how to do just that.

By 2025, our vision is an Ontario where people with disabilities can fully participate in everything our great province has to offer. In the coming year, more accessibility standards will be finalized to help make this vision a reality. But as I said, we started with customer service on purpose, because accessibility and good customer service benefits everyone.

De fait, rendre un service accessible à tous peut avoir des répercussions très favorables sur les profits d'une entreprise, en plus d'augmenter sa clientèle. On vous félicitera pour vos efforts et pour l'amélioration de vos services.

The results include increased customer satisfaction, more return customers and the ability to tap into people with disabilities' annual spending power of more than \$25 billion and growing. Those are results no one can afford to ignore.

TEACHERS

ENSEIGNANTS ET ENSEIGNANTES

Hon. Kathleen O. Wynne: Today I rise in the House to celebrate the many achievements and qualities of the people who work in Ontario's schools and school boards. Today is World Teachers' Day, a time for each of us to reflect on the positive impact educators and support staff have made on our lives and the lives of the roughly two million students in Ontario's 4,900 publicly funded schools.

Chaque jour, du son de la première cloche au retour à la maison, nos éducatrices et éducateurs s'emploient à

atteindre un objectif : fournir à nos enfants une éducation de premier ordre. Aujourd'hui, je souhaite les remercier de leurs efforts et de leurs réalisations dans la poursuite de cet objectif.

To those who inspire students to engage in the arts, reading, math, science and athletics, I say thank you. To those who make a classroom a window onto the world, connecting lesson plans to real-world issues, I say thank you.

I just came back from the We Day celebration at the ACC. There are teachers there with their students who are connecting what the Free the Children foundation is doing with the issues in their own communities.

And to those who help our young people overcome challenges both academic and non-academic, I say thank you.

C'est parce que vous interpellez le cœur et l'intelligence de chaque élève que les jeunes acquièrent la confiance pour poursuivre leurs rêves. C'est grâce à vous que le public fait confiance à nos écoles et qu'elles sont un lieu d'accueil et de mobilisation communautaire. Par votre professionnalisme, vous créez un milieu idéal pour la croissance et l'épanouissement de nos enfants.

You challenge them to learn to the best of their ability and help them overcome obstacles to their success. You push them to their limits and, in turn, teach them that there is no limit to their potential. For your efforts, you are remembered by students and parents for your passionate pursuit of excellence in education.

Rien ne définit mieux le système d'éducation public de l'Ontario que les témoignages de ceux qui le fréquentent au quotidien.

I regularly speak to students and parents from across the province. They are excited that student achievement in literacy and numeracy is on the rise, struggling students are being supported like never before and more students are graduating from high school.

C'est au personnel de nos écoles et de nos conseils scolaires que nous devons ces réussites. C'est un honneur de continuer à travailler en partenariat avec eux dans la quête de l'excellence en éducation.

Each year, the Premier's Awards for Teaching Excellence recognizes outstanding educators and support staff in publicly funded schools. Since the awards began in 2006, thousands of educators and support staff have been nominated for their great work. With nominations now open for the 2010 awards, we will look forward to many more stories from across the province about board and school staff who motivate students to achieve success.

I'm sure that each and every one of us remembers an educator who has made a difference in our lives, whether it was one who inspired us or challenged us, who pushed us, who helped us to be who we are today, and we are in part what we are because of that educator. So I encourage everyone to nominate an extraordinary educator, support staff or school board staff person today.

Nous avons fait d'importants investissements dans nos écoles, des bâtiments aux ressources en passant par de nouveaux programmes et des classes plus petites. Mais ce

sont le dévouement et l'engagement du personnel de nos écoles et de nos conseils scolaires qui transforment ces investissements en résultats concrets, et les résultats sont remarquables.

It is the people who make the difference in our schools and in our school boards. World Teachers' Day is a wonderful opportunity to celebrate these achievements and recognize those who have helped accomplish them. Once again, to the educators and support staff across the province, you have my sincere gratitude and my heartfelt thanks.

Merci beaucoup. Thank you. Meegwetch.

The Speaker (Hon. Steve Peters): Responses?

ANIMAL HEALTH

Mr. Ernie Hardeman: Just a few words in response to the minister's introduction of the animal health legislation. I want to thank all the stakeholders, many of whom are here in the gallery today, who have worked on this issue for many years. They provided me with comments on the draft legislation and raised a number of concerns that we will be looking for to ensure that they have been addressed in this legislation.

Food safety is the number one priority, but we need to make sure that legislation and regulations are based on real science, not political science. I'm looking forward to reading this bill in detail to ensure that it accurately accomplishes the goal that the minister set out without simply tying farmers up in red tape or leaving the details to the regulations that will be set much later.

This bill once again has the potential of being the McGuinty government's downloading costs on farmers without providing the needed support. The ministry says that they have a food safety fund. We know that there is no money in there this year, and farmers are being told to not even bother applying, and we know that there are many farmers in Ontario who simply can't afford another cost. This government needs to make sure that funding for these projects is available and that it is there when the farmers are being told to implement the changes, not five years down the road.

With that, I have other colleagues who want to comment on the other ministers' statements.

TEACHERS

Mrs. Elizabeth Witmer: It is with great pleasure that I rise today on behalf of our leader and our PC caucus to pay tribute to our teachers as we celebrate World Teachers' Day. To recognize the commitment and the dedication of Ontario's hard-working teachers, I was pleased as Minister of Education in 2002 to put forward the proclamation that established October 5 as teachers' day in Ontario.

World Teachers' Day offers us the opportunity to reflect on the importance of teaching and the outstanding contributions of our teachers, and reminds us of the very vital role that teachers play in motivating, inspiring and

challenging young minds. This year we are focused on the need to invest in teachers. Yes, we ask teachers to equip our students with the knowledge they need to succeed in today's competitive global economy. We ask them to help our children develop the self-esteem and confidence they need to become responsible and productive citizens. We ask our teachers to inspire our children with a love of lifelong learning.

In the coming weeks and months, I look forward to continuing my visits across the province to consult with our teachers to ensure that they have all the tools they need to help each and every student achieve their full potential.

In conclusion, again, on behalf of our leader and caucus, I say thank you, a deep thank you, to all Ontario teachers for their hard work, their dedication and their commitment to our students.

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ACCESSIBILITY FOR THE DISABLED

Ms. Sylvia Jones: As the PC critic for community and social services, I am also pleased to be able to recognize this week as Customer Service Week. While we all need to advocate for increasing good customer service through accessibility, Ontarians need to know that their governments will be there to support them. With the accessibility for Ontarians act, the intent is for Ontarians to be able to manoeuvre more easily at home, at work and in public places. However, as you can imagine, the cost of implementing such a bill will be enormous. There will be a need for new infrastructure, training, human resources and technology to encompass the scope of this legislation, most of which municipalities and businesses quite simply cannot afford on their own. They need help and they will need support.

In February, I addressed the Minister of Finance in my capacity as the PC critic for community and social services but also as the member for Dufferin-Caledon. In my letter, I suggested that accessibility retrofits be included in the eligibility criteria for developing infrastructure funding allocations in the provincial budget. Nine months later, I'm still waiting for a response.

I fully support the intent to break down barriers for Ontarians with disabilities, but we also need action and support. Words do not mean anything unless they have action attached to them.

ANIMAL HEALTH

Mr. Howard Hampton: On behalf of New Democrats, we welcome the Animal Health Act of 2009. There are a number of issues that need to be addressed, and legislatively, this bill looks as if it may address some of them. However, the big issue, I believe, for farmers and the big issue for the system in terms of health safety is: How and who will pay for the enforcement? Minus a strategy by the government to pay for this enforcement, not much will happen. Assessing farmers to pay for this

enforcement would simply not work. Farmers are already hard-pressed from one end of Ontario to another. So I look forward to seeing the government's strategy to, in fact, pay for the kind of enforcement which really must accompany this bill if it is to be effective in terms of promoting food safety and in terms of accomplishing the other things that we need to look after.

ACCESSIBILITY FOR THE DISABLED

Mr. Michael Prue: I am pleased to rise on the occasion of Customer Service Week. This government has a responsibility to provide timely, efficient and respectful services to the people of Ontario, and that goes double when servicing people with disabilities. Many Ontarians with disabilities, through no fault of their own, depend for their very survival on financial and other supports from government. Hundreds of thousands of people in this province struggle daily to make ends meet for themselves and for their families. The last thing they need is to experience inadequate or poor treatment in their interactions with government representatives. Yet too many Ontarians do feel misunderstood and mistreated by the government, which all too often does not provide the resources necessary to provide a proper interaction.

One of the most common concerns given to me during our party's poverty consultation last summer was people's feeling of being mistrusted, dismissed and even punished when accessing government services. A big part of the problem is that government workers in this area are overburdened with large caseloads, and they have to administer a system that is inherently judgmental and punitive, including the clawback when anyone with a disability goes out and finds a part-time job.

The social assistance system is long overdue for change. A review of the social service assistance act was promised by this government almost 10 months ago. If this government is really committed to customer service, we need to see some movement on this sooner rather than later.

TEACHERS

Mr. Rosario Marchese: On this World Teachers' Day, I want, on behalf of New Democrats, to acknowledge the great job that educators do and to honour their dedication. Our public education system has countless success stories, and I congratulate the Toronto Star for having documented very well many of those success stories in the weekend paper.

Teachers and education workers are not only responsible for the curriculum, but they're also called on to be counsellors, therapists, policemen and policewomen and even, on a regular basis, substitute parents. It is a complex and sometimes impossible job, and teachers have always done and will continue to do more than is asked of them.

But I want to remind the minister and the government that they can't do this job alone. The government must

listen to the teachers and other education workers in the system, including the many parents who speak about the need to invest in a system that is based on the needs of our students and not just the number of students who are in our educational system. When I speak about that, I think about so many special education children who desperately need support and are not getting it, and so many of our children in our school system who have mental health issues who are not getting the support they need.

Ontario teachers and education workers are dedicated to the development and well-being of the total child. On this World Teachers' Day, it is my hope that the government will match the dedication of those teachers with the support that is desperately needed.

MURRAY GAUNT

Hon. Monique M. Smith: I believe we have unanimous consent that up to five minutes be allotted to each party to speak in remembrance of the late Murray Gaunt.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

Mrs. Carol Mitchell: Murray Gaunt: son, student, farmer, husband, dad, grandfather, broadcaster and, of course, MPP.

I have stood before this House on a sadder occasion to inform you of the death of Murray Gaunt. Today, it is my honour to speak to the House about Murray Gaunt.

Murray was the type of man who cared about the people he served. We may well assume that I'm speaking about his constituents. The list of those he served, or in fact the beginning of his service, did not commence when he became MPP for Huron-Bruce.

Murray was born on June 4, 1935. His parents were Andrew Gaunt and Matilda Sherwood. They were farmers in West Wawanosh in Huron county. Murray attended a two-room schoolhouse that he walked to every day—a walk that was two miles from his family farm. Murray had lots of time to think about and consider what his future would hold as he travelled the forested roads and snow-covered fields that would always be his home.

Murray went on to Ontario Agricultural College in Guelph, returning to Huron to begin what he envisioned would be a career in poultry farming. Owen Roberts, a teacher of agricultural communications at the University of Guelph, speaks of his return to the farm in these words:

"The move home was carefully orchestrated by his dad, who wanted him there, but figured some carrot was necessary to entice his highly educated Aggie son away from Guelph's bright lights.

"The allure? Turkeys."

In two years, Murray had turned his fledgling flock into 15,000 strong. Hard work was not foreign to Murray, and his vision of what could be became a reality.

CKNX, a CBC affiliate in Wingham in the 1960s, soon approached Murray to become a farm broadcaster. This was not a job he had sought. He considered the possibilities, and soon, after a successful audition, he went on air.

His work before his life in politics would set a course to transform news media information about agricultural reporting and communications. Murray soon realized that in this role he served a broad and diverse community of people who worked in agriculture or in fields that were related to agriculture.

In his work with CKNX, Murray had the opportunity to interview the then-sitting member, John Hanna. In fact, he had interviewed Mr. Hanna the day before he suddenly passed away. The sad passing of Mr. Hanna necessitated a by-election and the Liberal Association of Huron-Bruce approached Murray to consider running.

In 1962, he was elected, and thus began 19 years of tireless and dedicated service to his constituents in Huron-Bruce. In that term of 19 years, he changed the image and reality of what agriculture in Ontario was. He shaped what we know to be agriculture in our province today.

The Ontario Agricultural Hall of Fame inducted Murray as a member in 2005. They noted his support for the capital grant programs for farmers in the 1960s; the 1966 Milk Act, which led to the establishment of the milk marketing board and the creation of other supply management boards such as the Ontario Egg Producers' Marketing Board and the chicken producers' marketing board.

1350

Reg Cressman, secretary-treasurer of the Ontario Agricultural Hall of Fame, spoke of Murray using these words: "I had the pleasure of working with Murray on voluntary boards and he had the capacity to imagine possibilities, see farther over the horizon than most of us and recruit people to get things done."

Perhaps all of those walks past the fields of Huron began a contemplation process that never stopped throughout his life.

Jack Riddell, former MPP for Huron-Bruce and Minister of Agriculture, said Murray was a good listener, known for acting on personal complaints and issues brought to him by constituents. "He considered constituency work important and he spent as much time in the riding as he could."

But his service did not detract from his family. Jack Riddell went on to say that politics can be rough on families because it takes you away from family life, adding, "Murray never let politics become more important than his family."

In fact, I am sure if you could ask Murray what his most important accomplishment was, he would say that it was his family, who are all here today in the Legislature: his loving wife, Pat; his son, Stephen, and his wife, Judith, and their children, Andrew, Christine, Adam and Caleb; his daughter, Stephanie, her husband, Jeff, and their children, Kaitlin, Josh, Emily, Hannah and Noah. Welcome.

Murray was a good listener. His personality was vibrant and always cheerful, and I can tell you his laugh was so contagious. It has been said that Murray was a parliamentarian respected by both government and

opposition benches alike. Personally, I am beyond honoured to have considered Murray a mentor and a friend for my time in politics.

To Pat, Stephen, Stephanie and family: Thank you for sharing this wonderful man with the rest of us for so many years, and thank you for being here today with your family and friends to show our gratitude for the gifts of Murray Gaunt.

Mr. Norm Miller: It is my pleasure and honour to deliver the tribute to my friend Murray Gaunt on behalf of the official opposition. I would like to begin by welcoming Murray's family to Queen's Park. They're in the members' east gallery.

My personal connection to the Gaunt family came about indirectly through politics: My father, Frank, and Murray both served in the Legislature at the same time. Frank talked Murray into taking his young family—Pat, and their children, Stephen and Stephanie—to my past business, Patterson-Kaye Lodge located on Lake Muskoka, for their summer vacation. That was in the early 1970s. The Gaunt family continued to visit annually for many years, and then returned for many visits with even greater numbers as Stephen and Stephanie married and brought along their young families. So from that initial sales pitch from my father, which I believe included an MPP discount, they came to our lodge for over 30 years.

I got to know Murray well over that time, and I considered him a friend, and I know that my father greatly valued the friendship of Murray and the Gaunt family. My father would always stop by the lodge to visit when the Gaunts were there and, if possible, arrange a golf game. It was always a pleasure to host Murray and his wonderful family at the lodge. They are such fine people. It was always fun having the Gaunts around. Murray would banter with me on the issues of the day, and the conversation was always punctuated with his trademark laugh.

In fact, I attended Murray's funeral this past spring, and they played a video clip of Murray in his job post-politics, as a reporter. He was conducting a TV interview of a very young-looking Minister of Agriculture, David Ramsay. They played take after take, with Murray laughing heartily as he tried to ask serious agricultural questions but stumbled on some of the lines.

I had many conversations with Murray over current issues and always felt he was really a PC at heart. In fact, in researching some of Murray's past that I was unfamiliar with, I learned that his father, Andrew, was a strong Liberal, but his mother, Matilda Sherwood, was noted as a strong Conservative. I always felt Murray was recruited by the Liberals at a very young age from the radio station he worked at, before he had determined what his politics were.

Regardless, he was a superb MPP who looked after the interests of his riding from 1962 to 1981. He won elections with huge pluralities, as his constituents recognized his excellent work. When I was considering running for the PC nomination for Parry Sound-Muskoka in February 2001, I called one past MPP to seek his advice:

Murray Gaunt. Murray was single when first elected and married and raised his family while in office. Murray gave me good advice on the real life of an MPP.

Murray lived a full and active life. He once said, "We can look back with fondness but never let your memories of the past cloud the promise of the future."

He grew up on Hi-Hill Farm near Lucknow, ran his own turkey farm and had a very successful career as a journalist covering agricultural affairs before and after politics. He was inducted into the Ontario Agricultural Hall of Fame in 2005. He gave back to the community as a long-time member of the Wingham Lions Club and through many other committees and boards. His faith was also very important to him. Murray lived life with zest and energy, whether playing tennis, working on a project or spending time with his nine wonderful grandchildren.

Murray Andrew Gaunt was a man of integrity. He will be missed by all those people, like me, who had the good fortune of knowing him. But the spirit of Murray Gaunt will live on in his children and his grandchildren.

Mr. Michael Prue: It is indeed an honour for me to rise on behalf of the New Democratic Party and talk about Murray Gaunt and the nearly 20 years he served in this Legislature from 1962 to 1981. Although I don't ever remember actually meeting him, those were many of the formative years when I often came across from the University of Toronto and sat up in the gallery and watched the Legislature; watched the giants of that time, of which he was one; watched how they conducted themselves in this House; and watched very often and listened to the words of wisdom as they talked about the people who they represented.

He was a man who stood out in his commitment to the people that he came here to serve. Murray understood that what was done in this House had to reflect the needs of the people in the towns, the hamlets and the communities he was sent to represent. He was a person who totally and completely understood his constituents. At first glance, this may seem to be a simple concept, perhaps even trite. But this is a concept, I think, that is lost in these days in the hustle and bustle of the Legislature. Murray never lost it once. From the farm to the broadcast booth to the Legislature, Murray served the people of his community with distinction. Upon his passing, the Goderich Signal-Star lauded him as "the ultimate ambassador of rural Ontario," who "put the interests of others ahead of his own ambition.... He was a man of integrity and a man of his word."

As I said, I don't have any personal anecdotes or accounts of Murray's time here at Queen's Park, but it's clear that the name of Murray Gaunt is synonymous with Ontario agriculture. From his early life on the family farm to his days in the broadcast booth, Murray's life and the many accolades listed by my colleagues from Huron-Bruce and Parry Sound-Muskoka serve as a testament to his commitment to the success of Ontario's agricultural community.

Here today to mark this special occasion is Murray's family: His wife, Pat, their two children and their

families are in the gallery. On behalf of the Ontario New Democratic Party, I welcome you here this afternoon. Regardless of the side of the aisle that we as members sit on, we know that our success both here and in our constituencies is largely due to the support and the sacrifices made by our families and those who love us. Today's tribute to Murray is equally applicable to the family members present. Thank you for sharing Murray with your community. Thank you for sharing him with this Legislature and the people of Ontario and for the investment made possible by your generosity.

1400

While Murray leaves us an incredible legacy in Huron-Bruce, a part of the country I have come to love very much, and as a champion of Ontario's farming community, his enduring significance lies in the words of the CKNX radio tribute remembering him as a true leader, role model, mentor and cherished friend. Thank you, Murray, for your commitment to your community, to this Legislature and to the people of Ontario.

The Speaker (Hon. Steve Peters): I'd ask everyone to rise as we observe a moment of silence in honour and respect of former member Murray Gaunt.

The House observed a moment's silence.

The Speaker (Hon. Steve Peters): I will ensure that copies of the Hansard are sent to you, Mrs. Gaunt, and your family as a remembrance of your visit to Queen's Park today. Thank you.

PETITIONS

TAXATION

Mrs. Joyce Savoline: "To the Legislative Assembly of Ontario:

"Whereas residents in Burlington do not want the McGuinty 13% sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty 13% blended sales tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$400,000; and

"Whereas the McGuinty 13% blended sales tax will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the blended sales tax grab will affect everyone in this province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I agree with this petition and I will give it to page Chantelle with my signature affixed.

DIAGNOSTIC SERVICES

M^{me} France Gélinas: I'm glad to present a petition from the people of Nipissing to request PET scans in northeastern Ontario. It goes as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario government is making PET scanning a publicly insured health service; and

"Whereas by October 2009, insured PET scans will be performed in Ottawa, London, Toronto, Hamilton and Thunder Bay; and

"Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine;

"We petition the Legislative Assembly of Ontario to make PET scans available through the Sudbury Regional Hospital, thereby serving and providing equitable access to the citizens of northeastern Ontario."

I fully support this petition, will affix my name to it and send it to the table with page Ava.

HOSPITAL FUNDING

Mr. Bob Delaney: I have a petition to the Ontario Legislative Assembly. I especially want to thank Judy Harris and Lynn Bourgeois of Georgetown for having sent it to me. It reads as follows:

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2009-10 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I'm pleased to sign and support this petition and to ask page Gordon to carry it for me.

CHILD CARE

Mr. John O'Toole: I have a petition to present on behalf of my constituents from the riding of Durham. It reads as follows:

"Whereas the Minister of Community and Social Services, Madeleine Meilleur, has decided that grand-

parents caring for their grandchildren no longer qualify for temporary care assistance; and

"Whereas the removal of the temporary care assistance could mean that children will be forced into foster care; and

"Whereas the temporary care assistance amounted to \$231 per month, much less than a foster family would receive to look after the same children if they were forced into foster care;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately reverse the decision to remove temporary care assistance for grandparents looking after their grandchildren."

I'm pleased to sign and support this and present it to Nicole, one the pages.

DENTAL CARE

Mr. Michael Prue: I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas \$45 million a year for five years was promised for dental care for cash-poor people during the 2007 provincial election campaign, and the accumulated \$135-million expenditure was approved in the 2008 provincial budget; and

"Whereas so far only \$14 million has been released across Ontario, earmarked for children 14 to 17 years of age, and none assigned to helping seniors; and

"Whereas Peel region is spending \$1.2 million annually from regional funds to help cash-poor seniors in need of dental treatment; and

"Whereas Peel region has a wait list of 3,000 cash-poor seniors needing dental care, and the wait list is growing by 75 seniors a week; and

"Whereas Peel region has 16,000 low-income seniors, many of whom would benefit from dental care which they cannot now afford;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To release immediately the remaining portion of the \$135 million for dental care among low-income families and apportion the money so that Peel region receives a fair share according to population and need."

It is signed by the residents of Peel region. I am in agreement and would affix my signature thereto and send it along with Jacquelyn.

HOSPITAL FUNDING

Mr. Phil McNeely: "Petition to the Ontario Legislative Assembly:

"Western Mississauga ambulatory surgery centre:

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the ongoing capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could better be performed in an off-site facility. An ambulatory surgery centre would greatly increase the ability of surgeons to perform more procedures, reduce wait times for patients and free up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2009-10 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

The petition is duly signed. I'll send this to you through Kingsong.

TAXATION

Ms. Sylvia Jones: I have a petition.

"Whereas residents in Dufferin-Caledon do not want a provincial harmonized sales tax (HST) that will raise the cost of goods and services they use every day; and

"Whereas the 13% blended sales tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to house sales over \$400,000; and

"Whereas the 13% blended sales tax will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the blended sales tax ... will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I support this petition and am pleased to affix my name to it and give it to page David.

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PARENTING EDUCATION

Mr. Bob Delaney: I have a petition that I would like to deliver on behalf of my seatmate, the very hard-working member for Niagara Falls. On his behalf, I'd like thank Marg Gierula and Vivian Russell of Beamsville for having collected the signatures on this petition. It reads as follows:

"Whereas effective parenting practices do not come instinctively and parenting is our most crucial social role, parenting and human development courses need to be taught to all secondary school students. Parenting education will: reduce teen pregnancies; reduce the rate of costly fetal alcohol spectrum disorders and increase

the number of healthy pregnancies; reduce the number of costly social problems related to ineffective parenting practices; and improve the 'social fabric' of Ontario to create a more civil society. Parenting education for students is considered to be socially valuable by a majority of adults of voting age and should be included as a mandatory credit course within the Ontario curriculum;

"We, the undersigned, petition the Legislative Assembly of Ontario to amend the requirements for the Ontario secondary school diploma to include one senior level (grade 11 or 12) credit course in parenting education (students to select one of: living and working with children (HPW3C); parenting (HPC30); issues in human growth and development (HHG4M); parenting and human development (HPD4E) as a compulsory credit."

I'm pleased to sign this petition on behalf of the other signatories and to ask page Alyssa to carry it for me.

HOSPITAL FUNDING

Mr. Norm Miller: I have a petition to do with Muskoka Algonquin Healthcare. It reads:

"To the Legislative Assembly of Ontario:

"Whereas demand for health services is expected to continue to rise with a growing retirement population in Muskoka-East Parry Sound; and

"Whereas recent funding cuts include the loss of health care services at the Burk's Falls health centre, reductions in acute care beds at both hospitals and cuts to services such as physiotherapy; and

"Whereas the government is providing hospitals with funding increases of roughly 2%, but costs for health care salaries negotiated by the ministry and other fixed costs are increasing at a rate of 4% to 5% each year; and

"Whereas hospitals will face ongoing budget cuts as a result of insufficient funding by the province of Ontario, despite collecting \$12 billion in health taxes from Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government and Minister of Health provide adequate increases in the operating budget of Muskoka Algonquin Healthcare to maintain current health services for the people of Muskoka-East Parry Sound and provide long-term-care beds for Muskoka-East Parry Sound."

I support this petition.

LONG-TERM CARE

Ms. Sylvia Jones: My petition is to the Parliament of Ontario.

"Whereas Ontarians who now live in long-term-care homes are increasingly older, frailer and have greater complex care needs;

"Whereas our elder parents, family and friends deserve to live with dignity and respect;

"Whereas the McGuinty Liberal government failed to revolutionize long-term care and broke its promise to seniors to provide \$6,000 in personal care, per resident;

"Whereas five years of Liberal inaction has restricted Ontario's ability to meet the demands of our aging population;

"Whereas more than 24,000 Ontarians are currently waiting for an LTC bed;

"Whereas Ontario funds significantly less resident care than Alberta, British Columbia, Manitoba and New Brunswick;

"Whereas dedicated LTC homes are short-staffed and have not been given resources to hire enough front-line workers to provide the level of care residents require;

"Whereas devoted LTC staff are burdened by cumbersome government regulations;

"Whereas some 35,000 seniors are living in LTC beds which do not meet more home-like design standards introduced in 1998 by the former PC government;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government must enhance long-term care by:

"—initiating a sector-wide staffing increase of 4,500 full-time positions within a year;

"—expediting the redevelopment of Ontario's 35,000 oldest long-term-care beds by providing adequate support and funding;

"—achieving an average of three worked hours of personal care, per day, within a year;

"—simplifying the regulations which govern nursing homes;

"—producing a comprehensive plan with benchmarks to reduce LTC wait lists of more than 24,000 people;

"—addressing inflationary pressures by adequately funding the increased operating costs of LTC homes."

I support this petition and affix my name to it.

TAXATION

Mr. John O'Toole: It's a pleasure to present another petition on behalf of—one of the petitioners is Pina Martino. It reads as follows:

"Whereas residents of Etobicoke do not want a provincial harmonized sales tax (HST) that will raise the cost of goods and services they use every day; and

"Whereas the 13% blended sales tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to house sales over \$400,000; and

"Whereas the 13% blended sales tax will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and legal and accountant fees; and

"Whereas the blended sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty ... government not increase taxes for Ontario consumers."

I am pleased to sign and support this and present it to Ava, in her last week here in the Legislature.

ORDERS OF THE DAY

TIME ALLOCATION

Hon. Monique M. Smith: I move that, pursuant to standing order 47 and notwithstanding any other standing order or special order of the House relating to Bill 173, An Act to amend the Mining Act, the Standing Committee on General Government be authorized to meet on Wednesday, October 7, during its regular meeting time for the purpose of clause-by-clause consideration of the bill; and

That the deadline for filing amendments to the bill with the clerk of the committee shall be noon on Wednesday, October 7, 2009. On that day, at no later than 5 p.m., those amendments which have not yet been moved shall be deemed to have been moved, and the chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. The committee shall be authorized to meet beyond the normal hour of adjournment until completion of clause-by-clause consideration. Any division required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 129(a); and

That the committee shall report the bill to the House no later than Thursday, October 8, 2009. In the event that the committee fails to report the bill on that day, the bill shall be deemed to be passed by the committee and shall be deemed to be reported to and received by the House; and

That, upon receiving the report of the Standing Committee on General Government, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading; and

That, on the day the order for third reading of the bill is called, one hour shall be allotted to the third reading stage of the bill, apportioned equally among the recognized parties. At the end of this time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That the vote on third reading may be deferred pursuant to standing order 28(h); and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

The Speaker (Hon. Steve Peters): Ms. Smith has moved government notice of motion number 139. Debate?

Mr. Randy Hillier: Once again, another time allocation motion, number 139.

Two years ago, the Minister of Northern Development, Mines and Forestry launched this much-publicized bill to reform mining in Ontario. At the opening launch, he bent over backwards, telling everybody how he was going to listen to everyone, that all stakeholders would be heard, and that the process was to be open and transparent and would result in Mining Act reforms that would be balanced and bring Ontario into the 21st century.

Now we have a glimpse and a good look at what the Liberal vision is for Ontario in the 21st century: stifling discussion, killing debate and bringing in time allocation motions as the minister bends over backward from the criticisms of this bill. He did not listen. He did not consult. He created a circus of illusion with Bill 173. As people voice their opposition to this bill, he runs away from honest and open discussion to another time allocation motion. The whole process has been a sham.

The committee that has been hearing from people on Bill 173: Maybe I should just put a few facts on the table, put a few facts on the record so that the people of Ontario know what has been heard in those committee rooms.

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Bill MacRae from the Porcupine Prospectors stated, "Extensive consultation did not happen," that it jeopardizes security of title, and that this act will harm small prospectors. That's what one of the prospectors' organizations said, and there has been opposition from all quarters on this bill. The Pic River First Nation said, "The meetings were contrived"—they're talking about the workshops that were ahead of time—"and the questions were spoon-fed." The KI First Nations band stated that their greatest challenge is with this government and that these committee hearings are a mockery—a mockery. The Attawapiskat First Nation stated that Bill 173 is flawed, that it's a "regulatory mess" and that it is "insulting." That's what these stakeholders in this open, transparent and balanced Mining Act are saying about this Liberal administration and their push for Bill 173.

I want to talk about a few things that people have said during these committee hearings, just so that everybody, again, clearly understands what they're facing with this Liberal administration. During the committee hearings, five members of the Liberal government were in those hearings. As we were doing clause-by-clause, only one member of that Liberal committee said a word—four sat silent through 10 hours of debate and discussion on clause-by-clause; four of them did nothing except the trained mechanism of voting as they were told to vote. That's the sort of representation that this arrogant Liberal administration is providing to the people of Ontario. When people elect representatives, they expect them to have a say and to advocate for their concerns, to hear and be considerate of those concerns, not to be deaf, mute and blind to their concerns as the members of this committee have been. Once again, one member of the Liberal committee was the only one—he was the designated mouthpiece for the minister.

And listen, I can go on and I will go on to put a few more facts on the record for the people of Ontario to judge this Liberal government by.

"OREA"—the Ontario Real Estate Association—"notes that the purpose of Bill 173, as set out in section 2, does not mention or affirm the rights of surface rights owners. Therefore, we strongly recommend that section 2 be amended to include wording that recognizes and affirms the rights of surface rights holders, as has been done for aboriginal and treaty rights." They go on: "OREA believes that the property rights of farm owners deserve the same level of protection that was initially granted under the original Mining Act and that is now afforded to other property owners under section 29. OREA is also concerned about the arbitrary powers given to the directors of exploration pursuant to section 78."

So let's say it like this: The prospectors, the First Nations and the Ontario Real Estate Association have all expressed their reservations and their concerns with this bill. What has the Liberal government done about those concerns? Nothing. They have been a sham—all these people came to these committee hearings to bring their thoughts forward, with the expectation that a democratic government would listen to them and that they would take those concerns—those legitimate and those justifiable concerns—back to thoughtful deliberations. It did not happen. All those people who came to these committees were duped by this Liberal administration.

What NAN First Nation had to say at our committee hearings: They have great concerns because it does not go far enough to seek proper and informed consent—and I'm going to speak to that in a little bit as well. "That is why we object to this bill, and that is the message that I'm delivering to you today."

How about some of the other stakeholders—maybe De Beers? Everybody in this province may know who De Beers is; I'm sure a few people in the Liberal Party do. This is what De Beers said in their representation: They believe Bill 173 and 191 together will "introduce additional layers of uncertainty, bureaucracy and financial burden" on the industry. They also went on to say that there's no clarity in this bill "regarding the definition of what comprises an exploration plan, the definition of community consultation ... the expected administrative timelines of these additional steps in our process." They also went on to say, "There's no clarity regarding the ability to appeal any additional term imposed by this director of exploration," and that "industry requires certainty in order to justify the significant investments required to find, assess, develop and open a mine." That's what De Beers said.

So we'll put that in the same pile with the Ontario Real Estate Association, put it in the same pile with NAN and KI First Nations, and we can start seeing a trend developing here. The pile of opposition is getting bigger and bigger. And of course, what do Liberals do when there's opposition to their ill-thought-out legislation? "Well, first off, let's make it appear that we're listening, and then let's bring in closure when people actually do oppose."

Here's a little presentation to the committee. It's entitled *Ensuring Equal Treatment; Reversing the Theft; Undoing the Wrongs Perpetrated in the Name of the Ontario Mining Act*.

Again, what did the committee do with those thoughtful presentations? What did they do after encouraging people to travel at great length to provide them? They went into closure, went into time allocation.

This representation was made about the mining tax, and it was delivered by Charles Ficner. Let me just offer up some of the suggestions and some of the concerns that he raised that this committee failed to bring forth and has failed to take action on. In 1989, a member of the Ministry of Northern Development and Mines is quoted as saying that since the last increase in acreage tax in 1969, approximately 400,000 acres have been returned to the crown; 400,000 acres of private land has been put back into the crown's hands because of the duplicitous way that the Mining Act is written and enforced with regard to mining tax.

And we'll go on from Charles Ficner.

Another couple of statements from the present Minister of Northern Development and Mines—his senior staff. These are quotes from the minister's senior staff to Charles Ficner: "There's an agreement, in principle, that you were not taxed correctly." He went on to further say, "I might be more cynical than you, Mr. Ficner. What I see as the most likely explanation"—for this improper taxation—"is the reflexive self-interest of organizations." The senior staff went on to say there are people who are "very uncomfortable with admitting that they have been wrong" for a long time, and "they don't want you to be the thin edge of the wedge." All this is speaking to the improper application and levying of mining tax on private lands that in effect confiscates those private lands and brings them back to the crown.

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One other comment from there, one other quote, and this was from a senior staff of NDM back in 1991: "Let me tell you ... there are widows in Arizona who own property in Ontario, and because they own it mines are not being developed. The only way that mines will develop and Ontario will prosper is if we take their properties away from them." That's what is happening with the mining tax.

It's going to continue with Bill 173 because this Liberal government didn't listen, didn't care what the people had to say to them when they travelled those great distances to come and speak to our committee hearings in Sioux Lookout, in Timmins, in Toronto, in Thunder Bay. We went on and on to many places, but what did the Liberals do? Nothing.

Again from the prospectors and developers: "Both acts have been written and put in place far too quickly, with many contentious issues not adequately dealt with." Prospectors and developers—add them to OREA, add them to First Nations, add them to the Coalition for Balanced Mining Act Reform, add them to the growing list of opposition—thoughtful, credible, legitimate opposition.

The prospectors and developers went on to say that "in recent legal rulings, the Ontario government has been charged with the responsibility of being the lead in negotiations with First Nations. This act is pushing that obligation down to individuals and the mining industry. We heard that countless times. Countless times people brought this up, that it is the crown's duty and honour to consult, that it can't be delegated downwards to industry. But what has the Liberal government done about those concerns? In one word we can sum it up: nothing. More sham, more arrogance.

This is the first time I was involved in a clause-by-clause hearing on a bill, and it disappointed me greatly to see the inaction and deliberate disregard for legitimate concerns expressed by people at those committees. I believe that this Liberal government ought to apologize to the people of Ontario. The people who travelled to this committee: This Liberal government should apologize to them. This Liberal government ought to hang their heads in shame that now, when they are caught disregarding people, they run to closure and time allocations.

All the evidence there is before us in those committee hearings: the concerns about map staking and payments in lieu. This is a danger that everybody has spoken of, that this will open the door for large corporations or large associations to essentially assume control and ownership over vast tracts of our province. What did the Liberals say? "Big deal. Not my department. Not my concern."

Let's put this in perspective. For a very small amount of money, somebody may not only stake a claim but keep that claim active and prevent other people from using that claim or that property by paying a small yearly fee to the Liberal government. No longer will prospectors or developers or people who own mining claims have to actually do any work on those claims. As long as the Liberals get a few shekels from them, that's good enough for them.

What's going to happen? We can see what's going to happen: Vast tracts of property will be denied to prospectors and developers. Ownership will be assumed and controlled by others.

I really find it absolutely incredible that honourable members of this House, who have not only a legal obligation but a moral obligation, through their conscience, to listen to their constituents, choose not to. They choose to run away. That is unacceptable. It is intolerable, what we saw going on in that committee. There was complete disregard for the people who came before the committee. We can see that arrogance and that disregard by this time allocation motion.

The Liberal government leaves this motion on the floor. They should all leave this chamber with their heads hung low.

The Acting Speaker (Mr. Ted Arnott): Further debate?

Mr. Howard Hampton: At the outset, I would want to indicate, because this is a time allocation bill and we're limited to 40 minutes of debate, that I'll be sharing that time with my colleague the member for Timmins—James Bay.

Let me take up where my colleague for the Conservative caucus left off. The process here that the government is trying to invoke—time allocation—is something that should concern every member of this Legislature. It should concern every member of the Legislature because, if you go back to day one, before this legislation was even introduced, there were serious problems.

There have been a number of Supreme Court of Canada decisions that have been handed down over the last 10 years and deal with the treaty rights and aboriginal rights of First Nations. One of the things that those decisions have set out is that governments, if they intend to introduce legislation, if they intend to put in place policies or regulations or if they intend to take a course of action which is likely to affect the treaty rights, the aboriginal rights or the interests of First Nations, there is a duty on that government to consult with First Nations. And “consultation” doesn’t just mean having a talk; there is also a duty to accommodate.

When the government indicated that they were going to introduce this bill, I went to visit every First Nation in my constituency. One of the questions I asked chiefs and councils is, “Has the government come to consult with you about this proposed legislation?” I went to Sandy Lake, I went to Cat Lake, I went to Sachigo Lake, I went to Fort Severn, I went to Kitchenuhmaykoosib Inninuwug, I went to Angling Lake, Wunnumin Lake, Kingfisher Lake, and I asked that question. Do you know what’s astounding? The answer, in every case, from those First Nations was, “No, there has been no consultation. We were invited to come to an information session”—and that’s all it was; it was an information session, one in Red Lake, one in Sioux Lookout, one in Thunder Bay—“where the McGuinty Liberal government said, ‘Here’s what we intend to do,’ but there was no consultation.”

When First Nations said, “This doesn’t address our issues. This doesn’t adequately address our rights. This doesn’t address our interests,” there was no consultation. There was no accommodation.

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I can tell you, First Nations were astounded. They could not believe that a government, in 2008 and 2009, would take this course of action, given the repeated Supreme Court of Canada decisions over the last 10 years. So the government wonders why there’s some opposition to what they are doing. They’re wondering why First Nations are very, very concerned. Well, from day one this government has not done what it is legally and constitutionally required to do and has failed to do what anyone in a relationship of respect would make sure of doing. That’s the first problem. But that problem has been compounded many, many times. First Nations have been very clear. They have repeated themselves on these issues a number of times. First Nations are not opposed philosophically to mining development in the far north. Let’s be clear, that’s what this is all about. This is about mining development north of the 51st parallel primarily and in northern Ontario at large. That’s what the bill is all about.

First Nations in the far north, through Nishnawbe Aski Nation, have said over and over again that there are a number of issues that need to be addressed. One of the issues that needs to be addressed is, first of all, the bill must set out that First Nations are entitled to full information and First Nations must give their consent to mining undertakings in their traditional territories. This is a concept known as “informed consent.” Informed consent is outlined in a number of United Nations documents dealing with the rights of aboriginal people. I challenge the government to find anywhere in this bill anything which addresses informed consent as set down by the United Nations and set down by a number of United Nations documents. It’s not there. Yet First Nations said over and over again, “This needs to be addressed.” That’s not there.

The second issue the First Nations were very clear on is that First Nations need to have some control, need to be an active decision-maker when it comes to issues of environmental protection. First Nations are not prepared to let an official sitting in an office tower in Toronto say, “Well, the rules shall be thus and so.” If you think about it for a minute, it’s a very reasonable position. If you go north of the 51st parallel in particular, you might find the odd non-native nurse, non-native teacher, perhaps a pilot flying around in a plane, but 99.99% of the people who live north of the 51st parallel are aboriginal people. They’re simply saying, “We think it’s reasonable that we should be able to make decisions. We should have input into these environmental or land use decisions where we and we only live.”

Imagine bringing legislation before this House that said you could have all kinds of undertakings which would affect the environment, but the people of Toronto would not be entitled to any kind of consultation or accommodation. I can tell you how up in arms people in the city of Toronto would be with that kind of legislation, yet that’s exactly what this government is proposing with respect to First Nations north of the 51st parallel. They would simply not have any capacity to govern these decisions. The decisions could be made by a bureaucrat sitting in an office tower in downtown Toronto who might be oblivious to many of the issues that need to be addressed.

The third issue that First Nations were so clear about but that is not addressed in the legislation is the issue of revenue sharing. As I said, First Nations are not opposed philosophically to mining development in northern Ontario, in the far north. But one of the issues that has to be addressed, and it has to be addressed in legislation, is, what will be the formula whereby that wealth—and there is incredible mineral wealth—will be distributed?

First Nations I think are taking a very reasonable position. Many of these First Nations live in and experience incredible poverty, and they’re simply saying that if potentially billions of dollars of wealth are going to come out of the ground, First Nations ought to share in that and the sharing formula ought to be set out with some certainty, i.e., in legislation. Is there a sharing formula in this legislation? No, it’s not there—not there at all.

The other point the First Nations make, and they made it oh, so clearly and they continue to make it over and over again, is that the government cannot contract out of its legal and constitutional responsibility, which is something the government is trying to do in this bill. The duty to consult, the duty to accommodate, is government's duty. It is not the duty of a junior mining company that may have very limited financial and other resources. It is not the duty of a prospector who may have very, very limited financial and other resources. And indeed it is not the responsibility of even a major mining company like De Beers. But the government continues to try, through this legislation, to put that duty and responsibility onto entities like junior mining companies, like prospectors. Government might as well know that the First Nations are not going to accept that. The responsibility, as set out in a number of Supreme Court of Canada decisions, is a responsibility—a constitutional responsibility and a legal responsibility—of the government, and First Nations are not going to put up with any attempt to turn this into some sort of lowest-common-denominator situation.

Just to bring this to the level of real people and real situations, I want to refer again to the scenario, the situation that's been happening with Kitchenuhmaykoosib Inninuwug First Nation and Platinex mining company. Platinex, not that many months ago, wanted access to some mining claims to do mining development and exploration. Those mining claims lie in the traditional territory of KI First Nation. Again, if you talk to the chief and council of KI, they are not philosophically opposed to mining, but they said to Platinex and they said to this government, "We do not feel that our First Nation, our community, is ready for this. We do not believe that we are, at this point in time, prepared and ready as a community to deal with these issues"—a very civilized position, a position that was stated in the most straightforward, honest, open way.

What was the response of Platinex? Platinex said, "Well, we're marching off to court and we're going to get a court order." And what was the position of this government? This government had legal counsel appear at the trial of the issues and say to the trial judge that the government wanted to impose a penalty on the First Nation, a penalty that would hurt. So the trial judge listened to the submissions and made his decision, a decision which resulted in the chief and most of the councillors and even great-great-grandmothers put in jail.

The government wonders today why it has a problem. Well, any government that proceeded in that way is asking for trouble.

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So I would say to the government, if you believe that simply time-allocating this bill and time-allocating this sorry process that this government is engaged in, if you think that time allocation is somehow going to solve the fiasco that you have created, then I would urge this government to take a recess, look in the mirror, look at the submissions that were made, listen to and read some of the communications that have been sent by Kitchen-

uhmaykoosib Inninuwug First Nation and many other First Nations and some of the communications that have come from stakeholders who appeared before the committee; take a breath, go back to the drawing board and start the process all over again, because simply using time allocation to force through a bill and force through a process that already has a plethora of mistakes in it is not going to fix the situation. It will create an even more difficult situation.

I read with interest the communications from Platinex mining, Platinex Inc., who, in their press releases—they too are now saying that the government promised them a year ago that, "We will get you onto the traditional territory of Kitchenuhmaykoosib Inninuwug. We will facilitate things so this will happen." I talked to the chief of Kitchenuhmaykoosib Inninuwug First Nation not many weeks ago, who said, "We've hardly heard from the McGuinty government." If there was supposed to be a process of consultation and accommodation on this specific issue, it hasn't happened there either—on that specific issue, just to put aside for a minute the bill itself and just to put aside for a minute all of the rhetoric and press releases associated with the bill.

So, whether you survey this situation at the micro level—this mining company, this First Nation—or you survey this situation at the macro level, this government has created a long list of problems for itself, a long list of problems for First Nations and a long list of problems for the mining industry. Simply using time allocation now to force through this bill and force through this process is not going to fix things; it's going to make it worse.

My colleague has a few comments that he would like to make. I would urge the government: Go back to the drawing board and engage in real consultation, real accommodation with First Nations, instead of using the hammer.

The Acting Speaker (Mr. Ted Arnott): Further debate?

Mr. David Oraziotti: I appreciate the opportunity to speak to this motion with respect to Bill 173. I'll be sharing my time with the member from Willowdale, the member from Brant and the member from Algoma-Manitoulin.

I listened with interest to the comments made by both the member from Lanark-Frontenac-Lennox and Addington as well as the member from Kenora-Rainy River.

The facts in committee are as follows with respect to the process that has seemed to have broken down to some extent: We've had 14 hours of committee hearings on clause-by-clause and there have been 17 calls for recesses and breaks, most of those for 20 minutes, the maximum time allowable. The total recess time in committee has been over four and a half hours. There are 92 amendments to deal with in clause-by-clause in this committee.

I know that I haven't been here as long as some of the other members, but I've been here for six years. I would say that in this particular committee, I have not seen

delays like this in any other committee that I have served on here at Queen's Park for six years. It's very, very obvious that the opposition is not interested in moving forward with the constructive changes that are proposed in this bill. It's very, very obvious that they're not interested in debating the actual motions and the subject at hand in the committee, with over four and a half hours of time allocated for recess, to be out not discussing the proposed amendments. So I'm a bit concerned about that.

I'm also concerned about the perception around time allocation. I would say it's necessary for our government to move forward in this fashion. This is not our preferred course of action. However, when you compare time allocation to the past government, 60% of the past government's bills were time-allocated and 25% of our bills have been time-allocated. So it stands in stark contrast. Our government has given more third reading debate to its time allocation bills than both the past two governments in that respect. Under the last government, nearly 30 of 66 bills were time-allocated, received no committee time, and 30 received no third reading debate.

So we can put aside the issue that time allocation is somehow something that our government takes up right away as a first course of action when we know, quite frankly, that the opposition tends to time-allocate bills far more than our government and certainly far more than the record indicates with respect to our government's position on this. So I'm very disappointed that the opposition members have taken this particular position after hours and hours of committee hearings.

The issue around the consultations: I think we've made that fairly clear. We've made an effort, certainly; an effort that has involved countless individuals, locations across this province and many different organizations. We know that there are principles in the Mining Act that are from the early 1900s and are well out of date and need to be updated. So this is an effort to modernize legislation that is in significant need of updating.

Over the last six months of consultation, more than a thousand individuals and groups participated in public and stakeholder consultations across the province, as well as input received through the Environmental Bill of Rights registry. There have been broad consultations involving aboriginal communities. In total, approximately 100 First Nation and Metis communities have been involved—participated in some manner, shape or fashion—in shaping this particular piece of legislation.

As well, we have received 150 responses, and our consultation with aboriginal communities was such that there were 12 First Nation-led sessions. So not only have we engaged First Nations on this legislation, but the First Nations have been leading the discussions in some capacity around changes to modernizing the Mining Act. We want to build goodwill with the First Nations in the province of Ontario, respect, awareness and an understanding of the changes to the Mining Act.

I think if members opposite look at the proposed changes to the bill and review those changes, they'll see that for the first time in Canada, aboriginal and treaty

rights would be recognized in the purpose statement of mining legislation. This is the first time in this country. As well, Ontario would be the first Canadian jurisdiction to build a dispute resolution process for aboriginal-related mining issues specifically into mining legislation. So we are interested in supporting a partnership with our aboriginal peoples in Ontario to ensure that we get the changes to the mining legislation right. You're talking about a government here that has created the first Ministry of Aboriginal Affairs. We take that responsibility very seriously, and we continue to demonstrate that through the proposed changes in Bill 173, which is why I'm not sure why there are such opposition and filibuster-type tactics being used, such as I haven't seen here at Queen's Park before in any other committee, to delay and stall the improvements to this piece of legislation. I'm quite surprised with that.

I'm pleased that there has been such a level of engagement. I commend the minister, Minister Gravelle, and staff and ministry for the level of engagement and the level of consultation that has taken place through the discussions and the meetings that have taken place, as well as my colleague the member from Algoma-Manitoulin, the parliamentary assistant to the minister, who has spent considerable time working with this committee as well as numerous groups and individuals across the province to listen to those concerns, to ensure that we get the concerns that have been raised by the First Nations right in the legislation.

1500

There are a couple of other points I should reference with respect to this. The aboriginal consultation piece would also require exploration plans and permits to be discussed and in keeping with the Supreme Court of Canada rulings. These would form part of the framework of the legislation, and later stages of advanced exploration and mining development will require enhanced consultation with aboriginal communities to deal with the closure plan requirements and regulations. So the bill would make more express reference to aboriginal consultation requirements for closure plans in the act. We, on this side of the House, think this is something that's constructive. It helps to build the partnerships that we all want to see with our First Nation communities.

There are a couple of other aspects to the bill that I think are worth mentioning, one in particular with respect to private landowners. As we know, there are some concerns around surface rights and mining rights that are not owned by the property owner, and that would be changed in the legislation moving forward.

The member from Lanark-Frontenac-Lennox and Addington stood up and said the government has disregard for these concerns, and I'm not so sure the member is listening to his own constituents on this issue, because what I would say is that the member's own constituents want to see this change made, a change that would be incorporated into the legislation and ensure them some protection as individual property owners where they own the surface rights but not the mineral rights.

I would say to the member respectfully, perhaps some concern and some consideration should be given to the views of the individuals in southern Ontario who are concerned about seeing these changes made and where there has been friction and concern in the past around conflict with these particular issues. This change that is being proposed in the legislation would provide a remedy to those individuals. That's another reason why we want to see this move forward.

The legislation would also propose, as members who are familiar with it would know, changes around map staking. At present, prospectors are often engaged in activities on the private property of landowners. That can create some friction and some tension with various individuals. The proposed legislation would allow for map staking, which would obviously reduce those conflicts and reduce that friction. Those are things that we heard during consultations and those are things that we think need to be changed.

As well, the best practices from other provinces—Quebec, British Columbia and Newfoundland—with respect to changes to the legislation are being incorporated in the bill for, really, an Ontario-made solution but taking those considerations into mind.

We know that map staking for individual prospectors is something that we heard, and it helps to put them on a level playing field with larger multinational corporations that would come here to Ontario, have larger resources and be able to do this more quickly and more easily. We want to ensure that the interests of Ontario prospectors are protected, and that aspect of map claim staking would be incorporated into the legislation and be really good for business.

The other aspect around business and industry is that the industry is asking for certainty. The industry is asking for changes to be made that demonstrate clarity and what their duties to accommodate are, what their partnerships are expected to be. It's in the interest of all Ontarians to ensure that there's that clarity in the legislation.

That's something we need to move forward with, and yet again from the opposition members we get stalling and delay and deferral and recesses called for. It's time for this legislation to be updated, to be modernized and improved.

With that, I would encourage members to vote for this time allocation motion so we can get back to committee, get this work done, get those amendments through and get Bill 173 working in the province of Ontario, for all Ontarians' benefit.

I know that there are some other members and other colleagues who are going to be adding their comments to the time allocation motion today, so I'll wrap it up with that.

The Acting Speaker (Mr. Ted Arnott): Further debate?

Mr. John O'Toole: Briefly, I just wanted, on behalf of my constituents in the riding of Durham—some of whom have contacted me because they work in either prospecting or other components of the Mining Act,

either in southern Ontario or, indeed, in the north. Certainly the member from Oshawa will be wrapping up the opposition's position on this, but it's important to recognize that we're actually debating a time allocation motion here, and that's what is most troubling for this side.

The official opposition is concerned. Why are they trying to silence further discussion and debate on an important bill that has not been amended for many, many years? The member from Sault Ste. Marie talked about a couple of the issues that I think were in some way diminishing the voice of the people, suggesting that this is a done deal, really. I think that's really troubling. I know the bill is being time-allocated. I wonder suspiciously why. I heard our member who was speaking earlier on this bill, and he was raising concerns as well, basically from participating in the committee hearings on this bill. From his remarks today, certain members of the First Nations were opposed to it.

It needs to be understood that they had committee hearings, and now they're time allocating it for further business, none of which will be in public view to any great extent. I'm sure they will reduce all the motions or amendments that have been put forward by the opposition at this point in time.

The reason I am suspicious is that we finished, just last week, time-allocating an important bill dealing with the eHealth scandal and the OLG scandal and the WSIB scandal. The summer of scandals, generally, was dealt with in Bill 201. What did they do with Bill 201? They time allocated it. Why did they time-allocate it? To silence the voices of the opposition, and indeed the voices of the people of Ontario. So it leads me first to be suspicious why, when they just had hearings.

It's my understanding that with Bill 201 we submitted about five or six amendments in a very restricted, very engineered amendment. The time allocation motion we're dealing with here—139, I think—also tightens up the time we have to submit amendments and have them drafted properly in accordance with a fairly complex bill, and then have hearings on Wednesday. This thing is a done deal. What's the rush? This is an important part of Ontario's economy.

If you want to know how important and how bad this is, look at the surprise—Madam Speaker, I think I was standing beside you at the reception a year or so ago when De Beers was celebrating here at Queen's Park. What did the president of De Beers say? He was standing right beside the Minister of Natural Resources, I think, or Northern Development and Mines, and they had just whacked them with the new diamond tax. They were very unhappy, and the Premier and the minister were standing right there. They're not happy. The industry itself needs certainty. What they need for investors to bring these things to market is a climate of certainty. This whole bill questions some of that, and that's the issue.

We've consulted with our stakeholders, who are many of the same stakeholders as yours, and what clearly they said to us is that they're generally supportive; however, the mining industry needs clarity and certainty about the rules and regulations.

But you know, it's like all of this government's bills: The devil is in the details, and the red tape and regulations will be unfolded. I am telling you that if they have committed to consult with the First Nations people—it's my understanding that they too are very suspicious and very disappointed.

I just wanted to be on the record, along with a number of stakeholders. I should say that this bill was first debated in April 2009, and I listened clearly when it was debated in May 2009. We've had hearings on it, and now they're time-allocating it. There's something they are ramming through on the people of Ontario, and it's completely unfair that they're using time allocation again. It's becoming a tool of the McGuinty government. The tool is ceasing debate. It's anti-democratic on the important issue of the resources of Ontario. There are stakeholders who are very unhappy, and we are their voice. Why do you refuse to listen?

The Acting Speaker (Ms. Cheri DiNovo): Further debate? The member from Welland.

Mr. Peter Kormos: Questions and comments, Speaker?

The Acting Speaker (Ms. Cheri DiNovo): No, it's rotation.

Mr. Peter Kormos: It's time allocation.

The Acting Speaker (Ms. Cheri DiNovo): Yes. Sorry. The member from Willowdale.

1510

Mr. David Zimmer: It's my pleasure to speak to this time allocation motion. Here is the background to this. I want to go into the background because this issue surrounding the bill has been before this Legislature for a considerable period of time, and it's important to understand the background. On Monday July 14, 2008, the Premier announced that Ontario would protect at least 225,000 square kilometres of the far north boreal region under its far north planning initiative. What did the government decide to do at that time? The Premier said that the government was pledged to "work with all northern communities and resource industries to create a broad plan for sustainable development," and also went on to lay out the idea that local plans were going to "be developed in agreement with First Nations. And new mining development in the Far North would require early consultation and accommodation with local aboriginal communities."

The Premier also indicated at that time that consultations on changes to the Mining Act were going to begin that summer with a view to having the new rules in place next year, that is, this year, 2009. And we are rapidly approaching the end of 2009. That was the time frame. Everybody—the government and the opposition parties—was introduced to that time frame, the idea to have the legislation in place by the end of 2009. That was the policy laid out.

What's the next thing that happened? The next thing that happened was that a discussion paper was posted on the Environmental Registry on August 11, 2008, inviting feedback from anybody who was following the issue. The

discussion paper was available on ontario.ca/miningact. Public feedback was also accepted via e-mail. Various addresses were given and written submissions that could be mailed directly to the ministry were invited. That was the first outreach.

The next thing that happened: A bill was introduced for first reading. In due course, second reading debate was held in this Legislature; all the parties participated in it. Then it went out for public consultations following second reading. That was the summer starting in August and September 2008. The public hearings, public consultations, were held in Timmins, August 11, 2008; Sudbury, August 13, 2008; Thunder Bay, August 18, 2008; Kingston, August 28, 2008; and Toronto, September 8, 2008. That was the consultation process.

But it's even better than that; it's an even more full-some consultation process because, prior to the Premier speaking to the issue and introducing the principles that he was going to introduce in the legislation, there had been extensive engagement with the various stakeholders. The Ministry of Northern Development and Mines had initiated an engagement process to develop effective aboriginal consultation for the mineral sector activities. A discussion paper was released seeking advice on how to develop the aboriginal guidelines for the mineral sector's activities. The ministry added the "good Samaritan" provision to the Mining Act to encourage private sector companies to undertake mine rehabilitation on crown abandoned mine sites.

Of course, these initiatives promoted and accelerated the consultation process. Everyone in the sector—all of the stakeholders, all of the political parties, anybody with an interest in this issue—was given an opportunity, was engaged in the discussion.

The ministry also launched a mining gateway website to provide easier access to information on the regulatory process for mineral development projects in the province. The mining gateway project provided up-to-date information on all the various regulatory aspects of developing a mineral property. The ministry continued working with the industry and other provincial ministries and the federal government to improve permitting and the approvals process for mine development. In a summary of all of those discussions, a summary of all of the issues that had been raised and all the various viewpoints—the summary of those proposals to resolve this whole issue of surface mining rights was posted on the Environmental Bill of Rights registry as far back as July 18, 2007. As a result of that posting, we've had these extensive discussions, extensive consultations. A further 126 EBR submissions were received by the ministry and those were reviewed in detail.

That takes us up to the point where we've had second reading and all the opposition parties have had their chance to develop their clause-by-clause amendments, so the clause-by-clause process gets started on Bill 173, the Mining Amendment Act. That's after all of this consultation that I've just outlined has happened.

Well, what happened at the clause-by-clause? The clause-by-clause is a procedure, for the viewers who may

not be familiar with it, in which the three political parties sit in one of the committee rooms—the Liberals, the Conservatives and the NDP—and the three parties go through every clause in the bill. Along that process, as they're working their way through the numbered clauses from one through to the last clause, each of the parties can introduce an amendment to that particular section that's being reviewed. That's how the process works. There are various time frames when the amendments have to be filed with the committee and the amendments are exchanged with each of the parties and so on, so everybody knows what's coming.

Now, what actually happened in the clause-by-clause? Usually in the clause-by-clause an amendment is introduced by one party, there's some discussion about it and then there's a vote on that clause and they move on to the next clause. That's the way the system works. But what happened in this case—and this is important because this is what triggered the time allocation—is that so far the committee has sat for five full days to go through this section by section by section. And what has happened is that the opposition parties are not interested in ever seeing that committee get through the clause-by-clause analysis.

So how do they stop that? How do they prevent that? Well, they start out when the first clause, section 1, is introduced. There should be some discussion about that and then a vote on that clause, but there are some arcane rules buried around in the fine print whereby the opposition parties have asked for an adjournment virtually on every section of the bill that's introduced. What does that mean? Section 1, for instance, is introduced, and that's just kind of a routine housekeeping introductory section, and the opposition parties will ask for a 20-minute recess to discuss it, so the committee has to adjourn for 20 minutes. It comes back in 20 minutes and then that section is dealt with. The next section is introduced and they ask for another 20 minutes, and it goes on and on and on like that, such that, after five days of clause-by-clause, the committee is still really at the beginning of the bill. They just haven't made any progress in getting through this clause-by-clause. Five days, and in those five days there have been 17 adjournments—17 adjournments over five days. Twenty-minute adjournments to do what?

I've been in the committee sitting there, things adjourned. People go out. They wait their 20 minutes. They go out in the hallway. I see what people do. They go to the washroom, they have a cup of coffee, they start working on their BlackBerrys in the hallway and they saunter back in 20 minutes later. Another section is introduced and opposition parties ask for an adjournment. Where does everybody go? Cup of coffee, washroom, make telephone calls, wander to the library, read the newspapers, come back, and the same thing over and over, 17 times over five days of hearings, and the committee hasn't scratched the surface. There are a total of 92 amendments to get through, so you do the math: 92 amendments times 20 minutes—they'll never get through

that. In fact, as of September 30, there have been, of the 92 amendments—seven and 12 is 19 and 13 is 32—so we've still got another 60 to do. It has taken us five days to do about 30, so we're going to be there for another month or so. And guess what? Next week is constituency week; the House is not in session. We come back; it's the end of October. We're going to be closing in on Christmas and on the Christmas recess, and we're never going to get through the clause-by-clause in that bill.

1520

So the question is: Why are the opposition parties doing that? I wish I knew why. I know my colleagues on the Liberal side knew why the opposition parties were doing that. But for some reason, they want to delay the legislation. They don't want to see this get through. They, I expect, in the dark corners of their mind, have got some nefarious plot afoot about why they don't want to get through this clause-by-clause. But let's get through the clause-by-clause; let's get back here for third reading and let's vote on it.

This time allocation motion has only been brought by the governing party because the opposition parties, for whatever strange reasons lurk in the mysterious corners of their minds, are trying to block the legislation. That's not how government works. There has been plenty of consultation; I reviewed it. There has been plenty of debate; I reviewed it. We can work through those 92 amendments if all the parties—Liberals, Conservatives and the NDP—will do what they're paid to do, and that's sit in the committee room and do the clause-by-clause and cut this 20-minute recess for every clause-by-clause out of the system. Let's get to work.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. Jerry J. Ouellette: I'm just going to continue on and fill in a couple of holes, because everybody realizes that there are three sides to every story. In regard to the member for Willowdale's speech, he spoke about how this clause-by-clause is going on and on. There are rules out there, and we follow the rules. But what the member, prior to his time, doesn't realize was that a member of their party was the one responsible for these rules coming into place. I seem to recall some legislation being tied up in committee for two years. I think it was over recall legislation, if all of them would like to be reminded of what took place and the reason why these rules were brought in, because that committee sat, and one individual spoke and tied up that committee for an entire two-year period. So don't come to us blaming us. Quite frankly, if the committee members had come forward when one of the members had asked for two extra weeks to prepare amendments, they probably wouldn't be continuing on in this fashion. But these are the rules of the House and we have to comply with what's taking place, very specifically, in regard to this.

Also, I want to talk about a couple of other things as to what was stated. The member from Willowdale talked about the 225,000 square kilometres of protected land. As presented to the committee at that time, it was

specifically stated that, when you look at the size of the province of Ontario, everything from Sudbury south was now going to be protected in northern Ontario. Quite frankly, the First Nations were extremely concerned with how the bill was going to impact their community and what was going to take place. When you're talking about these protected areas, having had the privilege and honour to know how some of those areas worked, and the statement that it's going to be one continuous tract of land from Manitoba to Quebec—what will take place there, is, effectively, you're going to create another province, and the reason is: Have you ever tried or ever had a company try to cross a protected area or a provincial park and what takes place—try to get a road through that area; try to get an ice road through; try to get hydro lines; try to get infrastructure taking place in those areas? So when you get this continuous tract of land from Manitoba to Quebec, what's going to happen when somebody wants to cross those areas? That will be another bridge when we come to finalize and talk about that issue.

The PA spoke about the 14 hours it has taken, and went on and on and on. Quite frankly, there needs to be a lot more time. When I asked in Chapleau, from First Nation individual Frank Beardy, how long he expected this would take, his response was quite surprising. He was talking about generations of individuals to gain the understanding, and as was stated earlier on by the member from Kenora—Rainy River, when he spoke about those individuals, they weren't prepared to be able to take on the responsibility with Platinex.

Some of the difficulty is understanding how it's going to affect the land over the long term and not just the immediate short-term impacts. Also, it was stated by the PA about the treaty rights for the first time being written in the legislation. I'm sure everybody realizes that treaty rights supersede provincial law in the first place, so any treaty rights that are out there are already taking place and take precedence over provincial law. So how is that going to be something that will assist?

One of the other areas that I want to speak about is my concern about map staking and what is taking place there. Map staking, for those who don't know—some should know that I have a prospector's licence that I've had since the mid-1980s, and I carry claim stakes in my truck on a regular basis etc. What takes place with map staking: Currently the process is that prospectors will go on the land. It's basically a kilometre by a kilometre by a kilometre, the tract of land that you stake out; you put stakes on each of the corners. Now somebody can sit down at a computer and look at a tract of land and block off that space on the computer. Effectively what happens then is that they pay fees in lieu of actually going on the land to do the work.

The difficulty with this is that it works both ways. My colleague Mr. Hillier mentioned about tying up the lands. They used to take place in the past where—I have been in the bush when helicopters would land in the middle of nowhere, and stakers, who are individuals who are paid

to go out, will work in groups of twos and fours and will basically do lines and tie up the land. What takes place there—it's two ways. A lot of the companies find a way to eliminate competition. If they tie up that land and they stake the land, they can claim it. They have the rights to it for a year, depending on how much work is done on that land. If they do any test holes, depending on the amount of feet they drill for the test holes, it gives them a longer claim to that land. They effectively can tie up those lands so that other competitors and junior miners, as was mentioned—junior miners are minor mining companies—don't have the ability to access those lands, which are tied up, effectively.

Map staking makes it even easier. It was taking place before, but people were getting employed by going out and staking and tying up those lands. Map staking will actually be done on a computer and can be done without going on the land. So you lose the individuals who are actually doing the work on the land to be able to get that. Not only that, but the amount of equipment and the supplies they bought—first of all, a helicopter landing in the middle of nowhere: It takes some resources to be able to hire that helicopter to find a place to drop these individuals off, and to get them out of the bush when they come out. So it did take place to some extent in the past but it will be a lot easier, not only by the mining industry, which doesn't want competition, but those individuals who are opposed to mining—as we saw in Timmins, the individual from Sudbury. I believe the member from Manitoulin had made a comment, which I somewhat supported, that the individual was anti-mining. Those individuals will now have the opportunity to tie up those lands in the province of Ontario without allowing any development, and it's a strong concern.

Something that I am not sure the third party has realized, which I brought to the attention of Grand Chief Stan Beardy, was the fact that map staking can take place on a computer unbeknownst to individuals, and that includes First Nation individuals. A map stake claim can be put on a First Nation traditional land unbeknownst to the First Nations, and then it allows the process to begin. Then the negotiations would effectively start. So map staking of traditional First Nations lands can now move forward, and it's a large concern to the First Nations, of course, because they're concerned with the impacts on their community over the long term, talking about generations. That was one of the big concerns.

One of the other concerns in regard to the legislation was the consultation process. I'm not sure if the members here know, but there is a precedent set in Canada that if three consultations take place, an arbitrator is allowed to be assigned to resolve the issue. Some of the individuals may not realize that. During the presentations, a number of First Nation individuals, prior to their presentation, specifically stated, "This not a consultation." The reason for that is that it's not a consultation process that can be included in one of the three. As a former minister of the crown, I sat down with individuals and I had to clearly state on the record, before tapes, with their lawyers

present, that it was not a consultation process; it was just, "Sit down, let's talk about the issue and see if we can move forward." The concern there, as expressed to me at that particular time, was that three consultations allow for an arbitrator to come in and make a decision on an issue.

1530

One of the concerns there is, what is the definition of a consultation and who should be involved in a consultation? When somebody does a map-staking claim on traditional First Nations land, is that the initiation of a consultation process? The concern here is that there needs to be a very refined definition of how the consultation will take place and the results and who will be included. The reason I mention "who will be included" is because, as was stated very specifically by a number of the First Nation communities, Attawapiskat, I believe, is a non-treaty First Nation. So those individuals have not been included in some of the consultations, or what was stated as being consultations in this whole process. Not only that, but there were a number of Metis as well who had expressed concern about their input to anything that was taking place in regard to the legislation in the north, and they were not included in the process.

Also, when this took place, we spoke with NOTOA, the Northern Ontario Tourist Outfitters, who were completely unaware of anything taking place during this entire process. A lot of these individuals actually have outpost sites where they fly individuals in for fishing camps or hunting camps or for other tourism—bird-watching activities and other activities like that—and they were concerned that it was going to substantially impact a lot of their potential growth and development. Not only that, but quite frankly, they got on to the issue of the cost of the fee increase for their outpost camps, to retain those, and a lot of individuals during the depressed economy had released a lot of those outpost camps and no longer maintain them because the fee was far beyond. If you have 20 camps and it costs \$600 each, you're looking at \$12,000 effectively for no—

Interjection.

Mr. Jerry J. Ouellette: I won't say. I'll let you say that, Mr. Bisson.

But there was a lot of concern over the actual definition of "consultation"—how it would take place. One of the things that we very specifically heard about from a lot of the groups and organizations was that the crown, or the government of the day, has the obligation to move forward with consultation, although it appears that a lot of the organizations will have the expectation that the consultation will be placed upon their requirements. Now, by the same token, why are we moving forward with a lot of this when—well, up in the north, the August 6 Wawatay News said the Ginoogaming First Nations community signed a memorandum of understanding with a company for gold mining—for Premier Gold Mines Ltd. to explore in their communities. The reason I mention this is that obviously, the First Nations communities and some organizations and businesses are moving forward with the exploration and things happening on their First Nations communities.

Some of the other aspects were very concerning, and one that I probably should close with, was that we heard on a number of occasions—I think it was Cat Lake that specifically stated that a lot of their individuals had gone to prison over issues before. They very clearly stated, and it was stated on more than one occasion, that they were willing to go to war over this very specific issue. Those are some pretty strong words to have on record in committee. When we hear those sorts of things, we know that there is a strong concern, obviously during the committee process, to come forward and make sure that the amendments that are put forward have clear and concise ability to make sure it's the right thing moving forward, and anything that can be done to make sure that all the individuals who are going to be impacted by this have an opportunity to deal with that.

Some of the other areas of concern: I know that De Beers had made a presentation. Their concern, again, goes back to the consultation process. There was a definition of a community consultation for an exploration plan. A mining company has to have a consultation process, but it doesn't say what it is. Then they explained how they had tried on numerous occasions, according to them—and there are always three sides to every story—to contact one of the First Nations communities to move forward with explaining that they would like to enter into an agreement for, in their case, diamond development in the province of Ontario. They had sent registered letters, they had asked for meetings, they had tried to set dates, and nothing had taken place. What they were looking for was a clear and concise definition as to what actually is a consultation.

One of the other areas that was rather interesting that kind of created problems in itself is that each First Nations community requires a land use planning initiative—and what this is is that the First Nations communities would then develop a land use planning initiative for their area. From their perspective, they didn't have the funds necessary to create, consult, get out and find or hire the individuals to put together a proper plan.

The other area that was rather interesting was the fact that the plans we saw in the one community, in Sioux Lookout, were overlapping. One First Nations community claimed that this was their traditional land, and another First Nations community—I think it was Cat Lake and the Big Trout and the Crane people—their lands overlapped. So, who is going to be the arbitrator to decide which of these plans is going to be the correct one and the effective one on behalf of those communities, from both sides that are going to be affected by the plans that are put forward?

I think the big concern that we're seeing is that there appears to be a lot of inconsistency in definitions of who will have responsibility, who the benefit is for. And, yes, we hear about the problems in southern Ontario, where the concern is the retention of surface rights, and when we're talking about that, what has taken place is the same thing that has taken place in some of the other northern test areas.

Once upon a time, municipalities could come forward and could see the benefit of having a summer industry, the cottage industry, whereby cottagers went out and had lands that were made available to them by putting pressure on the province, yet the province retained the forests or the fibre and the mineral rights to a lot of these lands. Well, that was fine at that time because most people only spent a few months at the cottage, and the rest of the time it was allowed to be exposed. Quite frankly, that has turned around now. A lot of cottages that are being built now are year-round with year-round access and are fully accessible all the time. So those individuals who used to look for mineral rights or to gain forestry rights and have some of the fibre rights would now not have the ability because they're being accessed year-round.

I think, quite frankly, it's the trenching—for those who don't know what trenching is, it's when they go in with a backhoe and dig deep pits. This allows the rights to the minerals in those areas to be retained by the individuals staking the claims much farther. But there's no definition as to how trenching should be cleaned up or taking place or where it can be, and a lot of that needs to be resolved.

Some of the other areas—the actual surface rights go far beyond that. For example, a protected area goes from the earth's core to sky. So if an individual owns the mineral rights or the province owns the mineral rights and they have the property here while the deposit is found over here, do the individuals who own it have the right to go under that property at a later date? Those are some of the things that need to be defined.

Some of the key things here: Further consultation needs to be done with the First Nations communities on an individual basis. Not only that, but a lot of the organizations who will be affected by the legislation need to be part of the land use planning initiatives in the various communities, to ensure that NOTOA, the Metis, the non-treaty First Nations or other groups and organizations, whether it's the Ontario Federation of Anglers and Hunters, the Wildlands League, the WWF and those other organizations who have concerns on how things should unfold in those areas, should be part of the process to make sure it's effective for the entire province.

The Acting Speaker (Ms. Cheri DiNovo): Further debate.

Mr. Gilles Bisson: It's rather sad that we find ourselves here in time allocation on this bill. The government has decided to use its majority yet again in order to time-allocate out of committee a bill that they argue is being filibustered by the opposition.

I just want to say straight up, I've been in that committee for the days that it's been there. I've presented amendments. I've had debate on amendments with committee members, the parliamentary assistant and his staff, and in fact we found errors in the bill where we've had to go back and rethink how this bill should be shaped. In some cases, the government has decided to try to amend their own legislation. In other cases, they've decided to do nothing.

The point is, what I've been doing in committee for the last five days is taking my work as a legislator seriously in order to try to do right by this legislation. The government has brought this bill forward with the idea that you need to provide some clarity on the rules for the mining industry and fairness for First Nations when it comes to mineral development in their area and the protection of people's individual property rights, and those are very serious issues. They're issues that take a little bit of thought and take some work in order to get them right.

The government here today is time-allocating us and saying, "Oh, the opposition—terrible. Look at that, they're using the rules." We have rules in this House for a reason: in order to deal with the disposition of legislation. To argue that using the rules is somehow a bad thing I've got to say is a bit of a stretch and doesn't serve any of us well. Yes, there have been recesses asked for, but I've got to say what we have actually done is we've had some pretty meaningful debate on individual amendments of the legislation.

1540

Let's take a look very quickly at the legislation. The government has introduced amendments to the Mining Act. Their argument is that the Mining Act is over 100 years old and needs to be modernized. Okay, let's say we buy that argument. They say, in doing so, that we want to provide clarity for the mining sector so they understand what their responsibilities are, when it comes to moving through the process of the Mining Act, from staking a claim to the production of a mine. They want to clarify what you're supposed to be doing under this act when it comes to making sure you follow the act for economic reasons, environmental reasons and issues that deal with First Nations.

I've got to say that at the end of this process, and I'm sure my friend Mr. Hillier, who has been on committee, and Mr. Ouellette, who's been with me as well, will agree that there's nothing to clarify anything in this bill. If anything, we're actually creating more confusion for the mining sector, for the general public and for First Nations. We haven't dealt with the essential issues.

I've argued from the beginning that this could be a win-win. I support changes to the Mining Act. What the government said in its statement at the beginning, that it wanted to modernize the Mining Act in order to clarify the rules for the mining industry and provide comfort for First Nations so that they can benefit when it comes to the development of mining in their territory, I think is a commendable goal. Everybody in this Legislature, and people outside of here, knows that I have been dealing with this issue for a lot of years. I was the member who first brought the issue of revenue sharing to the Legislature and started working toward trying to get some kind of agreement about what happens if a mine is established in your backyard and you're not a municipality but a First Nation? How do you benefit from that mining project? I think we could have had a win-win here.

I think in this legislation, if we had done it right, we could have had the First Nations, the government, the

mining sector, the environmental movement and the general public standing together and saying that they've done something right at Queen's Park. They've actually got a piece of legislation that does what it is supposed to do.

Instead, what did we get? We got a bill that has some good parts to it. I'm not going to say this entire bill is terrible—absolutely not. I think there are some things and components in this bill that make some sense. But how you apply and make that work is really the test. I think what we found through the committee hearings, people coming before us and presenting, and what we are certainly seeing in clause-by-clause, is that the devil is in the detail. In fact, too much is left to regulation in this bill. The way the legislation is written could quite frankly—well not “could”—will cause confusion to both First Nations and people in the mining sector.

What are we trying to do in this bill? The first thing is that we're trying to give First Nations some comfort when it comes to development of mining in their area, in their traditional territories. I support that; I think that's something we should be doing. There are some out there who argue, “Oh my God, no. We can't give First Nations an actual right of veto for any project in their territory. If you do that, somehow or other it's just going to throw everything askew, and we're never going to be able to move forward on any developments.”

Have any of you—some of you have, so this is unfair. A number of you have had the opportunity to travel to First Nations. You darned well know they want economic development of those communities. They're amongst the poorest communities not only in North America. But I've travelled around the world, and I've seen places that are richer than this in the Third World. At least they've got the sun 12 months a year in some of the places I've gone to.

What the First Nations are looking for: They're saying, “Yes, I want development, but if you're going to establish a mine in my backyard, I want to have access to jobs.” It's not just being the truck driver and the person who cleans the kitchen and the person who basically cleans the bunkhouse. They want jobs in mining. They want jobs in trades. They would like some managerial jobs. We're not there yet. We need to build capacity to get there. Are we doing any of this in this bill? Absolutely not. We should be trying to deal with how you ensure that if in fact there is a mine that's established in somebody's backyard, there's an opportunity for employment in the future. You can't take a kid out of grade 11 and make him or her the mine manager. I don't argue that for a second. In fact, we used to do that back in the 1920s and it worked rather well, but that's a whole other story. My point is that you need to build capacity in those communities so that those kids can go off to college and university and get the training that they need so that they can get those jobs in their own home communities that allow them to build prosperity for their families and their community. Are we doing any of this in this legislation? No.

Are we dealing with the issue of revenue sharing? If there is a mine that is established in somebody's backyard, is there a mechanism in this legislation to say there will be revenue sharing and this is what it looks like, that we take the share of the revenue that the province gets from this particular project and we share it with the First Nation community in some way? We're not talking about new taxes and adding taxes to an existing project; we're talking about sharing what's out there. The province is the one that benefits from all of these mines. We need to find a way for the local community to benefit, just as Timmins does when a mine is established in our community. The municipality has an ability to get revenue by way of taxation and other means that allows them to benefit from a mine in their community. You can't do that in a First Nation; there's no mechanism. Are we dealing with this in this legislation? Absolutely not.

So I propose to you, if you think that KI was an incident that we can all forget about and we're not going to have any more such situations in the future, you are wrong. There are many communities across the north that are saying, “We want development, but we want to have a say on revenue sharing, we want to have a say when it comes to jobs and how it's going to affect our environment.” And if you don't do that in this legislation, you are not resolving the issues that you said you were going to try to set out and resolve, at the beginning of the process.

To my point I made earlier, the government says, “Well, if you do revenue sharing and you do the jobs and you do all of those things and give the First Nations communities some ability to have a real role in approving these projects, they're never going to allow it to happen.”

I want to remind people of De Beers Canada, De Beers that came from South Africa to establish a Canadian division. They opened the first diamond mine in Ontario, and how did they do it? They said, “We will not develop this mine without the approval of the First Nation. Period.” Hooray, Jim Gowans and De Beers; they got it. My God, if De Beers gets it, what's the matter with this government? Why don't you get it? De Beers understood. What would be the good of trying to develop a mine in Attawapiskat—now known as the Victor project—if you didn't have the buy-in of the local community? And even with the buy-in of the local community there are always problems.

You know as well as I do, parliamentary assistant, there's never a project in any community across Ontario that everybody's in favour of. But De Beers understood the concept and they said, “We need to have a buy-in by the First Nation. We have to have them in the room with us as we develop this mine so that they clearly understand what this mine is all about, how they're able to benefit, and negotiate an agreement that is beneficial to the First Nation.” They set out right at the beginning, “We will not develop the De Beers mine in Attawapiskat without the consent”—I say the consent—“of the First Nation.” Eventually the community voted and they gave an 80-some-odd per cent vote in favour of allowing that mine to go forward.

Further, De Beers said they wouldn't do it unless the other communities agreed. So Kashechewan, Fort Albany, Moose Factory and Attawapiskat had a say. They had, basically, an ability to have a say about what was going to happen in those communities.

So my point is, if De Beers gets it, what's wrong with the provincial government? De Beers understands that you can't do these types of projects in remote communities without having a buy-in, because if you don't have the buy-in, you may get your mine up and running but down the road you're going to have all kinds of problems.

And I've got to tell you there have been problems with the Attawapiskat agreement. You know that this summer there were people who were protesting the Attawapiskat agreement after it was ratified. The chief and council, along with De Beers, had to deal with it because that's part of the agreement that they did, but there was at least a majority of the community that understood: "We've signed an agreement. We're saying to go forward. We've got to hold to our word."

I say to the government across the way, to come in here and use time allocation and say, "Oh my God, you guys are slowing down the process. We got to ram this legislation through by" whatever date in October "so that we can finally modernize the Mining Act"—my God, we've been living with the Mining Act for 100 years. Do you think that maybe we can make do with another two or three months to get it right? Why not? What's the point of this place? What's the point of the Legislature and committee if we're not doing our jobs in order to basically deal with legislation and to make the legislation do what the government sets out to do at the beginning. So they didn't deal with that.

1550

I predict in this debate that we're going to have problems down the way, because I have been told by countless community members and leaders in the First Nations communities across this province—and they told us in committee when they came and presented to us in places like Chapleau and Sioux Lookout and Timmins—that they want to make sure that there is a mechanism for them to have a say about how mining is going to be developed in their backyards, and if not, there is going to be a problem. There would be civil disobedience.

So when the government wakes up next summer or the summer after or the fall after that and sees a blockade at a mining project somewhere in Ontario, don't scratch your head and say, "Oh my God, what happened?" What happened is that you caused it. It's as simple as that.

We can do this right. Is it easy? Absolutely not. Will it take time? Absolutely. Will we be able to get through it in the end? Yes, because there will be a better bill that comes out of the process, if we give it time. But the government chooses not to do that. So I say to the government, shame on you.

What else is in this bill? The member from Oshawa raised the issue of map staking. If you want to drive a whole bunch of people in northern Ontario absolutely

over the edge, introduce map staking. I've just got to say, man, you guys don't get it. We're going to introduce map staking where we're going to say you no longer have to go on the territory to stake a claim, number one. Number two, once you've stake and registered the claim, you will be able to keep the claim in good order or keep it legal by doing a payment in lieu without ever doing any geological work on the claim.

I'll tell you what I'd be doing if I was an environmental group: I'd be having some fundraising. I would go out and knock on doors and say, "We can protect X amount of land somewhere in northern Ontario or southern Ontario in perpetuity. All we've got to do is raise X amount of dollars per month so that we can map stake a claim and do payment in lieu, and we'll hold on to that claim forever with no development ever happening."

That might be a good thing for the environmental movement, but does it resolve the issue of being able to deal with how you stake in this province and that you actually build up the mineral database so that we can find mines in Ontario? Ontario has been the leading jurisdiction when it comes to mining in North America, if not the world. Where are we going now? In a completely opposite direction.

Go talk to the mining lawyers on Bay Street, if you want to take the time. I know a number of them; I'll give you their phone numbers. They have no work going on right now. The amount of work that should be going on with the high price of metals today—as compared to the development that could be going on in this province, it's going in the opposite direction.

What you're doing by moving the way you are with map staking and by going to payment in lieu is going to diminish the amount of geological work that is being done on the ground because, currently, if I go out and stake a claim or if Mr. Ouellette goes out and stakes a claim, you've got to hit the ground. You've got to stake it, then you've got to do a required amount of work every year in order to keep that claim in good standing. That information is then shared with others so that we can understand better the geology of the territory we call Ontario, so that we can find mines.

If we're going to go down the way of map staking, here is what is going to happen: First, we're going to give an onus for larger mining companies and others to control larger tracts of land. God, we're doing that in forestry now. Is it working? You've got forest companies that control the forests, and the communities can't get fibre. We're going the same way with mining, and I just can't believe the government is going that way. We're going to diminish the ability that we have to do geological work and to build a geological database of Ontario. Quite frankly, I don't think it will serve exploration well in this province. It will not put us in the position that we need to be.

Payment in lieu—as I said, I don't have enough time, but to just be able to write a cheque every year so you can hang on to a claim? Give me a break. The whole idea of a claim is for people to do work so you can figure out what's under the ground, so hopefully we'll find a mine.

What else is in this particular legislation and what is not? The environmental assessment. We heard all kinds of people come before us who said—I shouldn't say "all kinds of people." Certain people came before us and said that mining is excluded from the environmental assessment process. There's two sides to that debate. There are those who believe, yes, it should be, and there are those who believe that it shouldn't, but we're not really resolving this issue through this process. So I say to the government across the way, we heard one side of the presenters tell us that they think it should have, but we didn't hear a lot from the other. All I'm saying is, we need to spend a little bit more time around this issue to clearly understand if mining should be subject to an EA. Currently it is not. There's an argument on both sides. We're not going to be dealing with that by way of this time allocation motion. Again, I think it's a disservice to First Nations, mining, the environmental community and the community in general.

Then there is the whole issue of what happens around the issue of permitting. The government is going to start a new mechanism for permitting exploration, which in itself is not a bad idea. I've got to say that I don't have a problem with the government saying a prospector will have to take some training and an exploration company will have to take some training and understand what their responsibilities are under the act when it comes to the rights of individuals they may be crossing when doing the work, either First Nations or whatever it might be. I think that's a good idea. But you're going to tell Don McKinnon, a prospector in Ontario, that he's got to go to sensitivity training? A guy who has been in the mining business for how many years, 40 years, who has found more gold mines and more mines than anybody else I know, and you're going to tell him how to do his job? You're going to tell Dave Munier, another prospector from Kirkland Lake, that he's going to have to go—people who have been in the business for 20 or 30 years are being told they've got to go back to school.

Listen, I'm a tradesman; I'm an electrician. So is Mr. Hillier. When they instituted the trades program for electricians and certification, what did they do? They grandfathered those people who were in the trade. They said if you were active as an electrician for X number of years upon the creation of the certified trade, you get to be grandfathered into your trade because obviously you've been making your living at it long enough and you should know what you're doing. One of the amendments I'm asking for in this bill—which the government has refused to accept to date, and we'll probably not get to it now because of time allocation, other than just the vote—is the issue of grandfathering. Why shouldn't we recognize the years of experience of people like Dave Munier, people like Larche, people like Don McKinnon? Why don't you recognize the work that they've done all their lives and say, "You have done your duty. You have done your job. You are certified to be a prospector without having to go through the hoops," without having to go through, as Don would call it, sensitivity training?

I've just got to say, I want to be the fly on the wall when Don gets his letter that he's got to go and do that, because I tell you, Don ain't going to be happy—and I wouldn't be either, quite frankly. I think that's a move in the wrong direction.

So the government is going to go the way of providing training for people who do prospecting and exploration—a good thing. I can support that. But if you're doing that and you're not recognizing those who are already in the business as having knowledge about how to do that, I think that's a disservice. Provide them with a flyer, a leaflet or something, that says, "By the way, the new Mining Act requires the following." They know how to read. They can figure it out, and they will do a good job.

In closing, I just want to say—because I know my good friend Mr. Miller has a couple of things to say—the government comes in this House and says, "God, we're in a hurry. We've got to get this act through the House. It's 100 years old." We lived with it for 100 years; we can live with it for another couple of months. What is wrong with using the process to make better legislation? Maybe we'll actually end up with a better bill. So I say to the government across the way, I will not vote for your time allocation motion—surprise, surprise—and I think that you are giving away a golden opportunity to actually do something that is right in this Legislature, and that is to provide clarity in the Mining Act and to provide fairness for people who are in contact with mining in this province.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. Dave Levac: I appreciate the opportunity to spend a few moments on the time allocation on Bill 173, An Act to amend the Mining Act. The standing committee has been doing its work on this bill, and I wanted to make a comment about the members from Oshawa and Timmins—James Bay specifically, and indicate that the member from Algoma-Manitoulin, the parliamentary assistant, will be addressing some of the issues that have been raised in the debate so far.

I find it interesting that the member from Timmins—James Bay says we're forgetting things; that we're forgetting what happened and we're repeating the mistakes of the past. I tend to disagree with that in terms of my time here. In our conversations on a personal level, we've talked about some of the First Nations issues that he holds near and dear to his heart, as I do with the First Nations people living in southern Ontario. I spoke this afternoon about a good-news story that came to us through a co-operative venture, that both the county of Brant and the elected council of the Six Nations were able to come to an agreement. It's a very historic accord that was given to us. One of the letters I'd like to read—it's very important for us to understand that it was a business letter from a third party that has dealings with the United States, Europe and the rest of the world, indicating that this accord could be the start of extremely important investment in our riding. I wanted to say to him that on the business side, he indicates that De Beers

was able to make that connection, and I think it was laudable that the private sector made the decision to invest in discussions with First Nations in Ontario. There are three or four other points I'd like to make, but my notes tell me that the parliamentary assistant has every intention of covering those off.

1600

The member from Oshawa said there were three different versions. There are usually about 50 different versions of what's happening from everyone's perspective. If we could remove the political rhetoric that has been going on, that he and I have talked about in the past, I believe we would probably be able to come to some consensus about how we might get the best possible legislation in this House.

Thank you for the short opportunity to present, and I will hand it over to the parliamentary assistant when it's his turn.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. Paul Miller: I'd like to make a comment. I was watching television in the office and saw the member from Willowdale get up. To say the least, I was quite shocked with his presentation when he kind of gave the indication to the public that the nasty old opposition were delaying and putting off and trying to make the process slow down at the committee level. What he conveniently left out was the fact that the committee is comprised of five Liberal members, one Conservative and one NDP member—

Mr. Michael A. Brown: No, there are two Tories.

Mr. Paul Miller: Sorry, two Conservatives. So the numbers on any vote would be 5 to 3. I've been here just under two years, and I've sat on a few committees. I don't think I've seen maybe one or two amendments brought forth by the opposition even considered. In all the committees I've sat on, all five hands go up, voting the way the Liberals want to vote; no consideration by the committees I've sat on for the people in the opposition and their good amendments. There is some good legislation that we bring forward that is not even dealt with, not even looked at. In fact, not only did they not read my Bill 6, but in clause-by-clause, half of them were even out of the room. They weren't paying attention, they weren't involved in it, and any questions that were asked were practically ignored.

It's really amazing that a member could stand up and say, "Oh, the nasty old opposition holds things up. We can't get anything done." It's part of the system. It's the only way we can stop bills we don't agree with from being railroaded through, and they know that too from when they sat over here. They know it's the only way we can slow the system down. There were a lot of people who didn't want this bill and didn't want it to go through. But the government, in their arrogance and their numbers, decided it's going through, like it or lump it, with a few amendments.

The bottom line is that if people really knew what goes on in these committees and really knew that the

opposition is coming from a position of being outnumbered five to three in most cases—I just don't like them to stand up and say it's the opposition causing the problem. It really isn't. Our only voice for the people we represent is to bring forward changes and amendments that 99.9 times are shot down and the government goes away—they're going to like it or lump it.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. Peter Kormos: In a scant 60 seconds, I want to express my dismay—

Interjections.

The Acting Speaker (Ms. Cheri DiNovo): Sorry. I've been informed that you have already spoken.

Interjection.

Mr. Peter Kormos: It's time allocation.

The Acting Speaker (Ms. Cheri DiNovo): Sorry. I was not here all the time. The member may continue speaking.

Mr. Peter Kormos: Shame on them. Shame on the member, as long as he's been here, for not knowing the standing orders.

Once again, I shake my head—a time allocation motion once again. It's as if political parties are in a race here to see who can use more time allocation motions. Time allocation motions are the last refuge of scoundrels, I say. I tell you that time allocation motions come from governments that don't give a tinker's damn about the opposition; that don't give a tinker's damn about due process when it comes to bills going through the process; don't give a tinker's damn about committee work, as long as they've got a majority on the committee so they can hammer anything through that they want. I say it's a very dangerous trend in this Parliament and, I suspect, more than a few others.

Time allocation goes back to the days where you didn't have time limits on speeches. It goes back to the days when you could hold the floor for 30 days if you wanted to, or all night. In that context, because they were common-law time allocation motions, the Speaker had to use his or her discretion in terms of determining whether a speechmaking was being merely dilatory. The governments make rules and expect us to abide by them, but when it comes to their turn, they say, "What a silly rule." How unfair that is. How wrong that is.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. Michael A. Brown: I am pleased to take part in this debate, although, frankly, as somebody who's been here since 1987, I've never found any great fondness for taking part in a time allocation debate, which has taken place under governments since 1987, when I was here. It became increasingly more prevalent in the period from 1990 to 1995, and then totally outrageous after that period of time until 2003. I think the record would easily show that this government has used time allocation much more sparingly than its predecessors in the last 15 years.

But I want to talk a little bit about the Mining Act and why we're here today. The mining industry is one of the

drivers of the economy of Ontario, particularly the northern economy, I think my friend from Timmins–James Bay would recognize. It has been, from the earliest times in this province, a great revenue generator. In 2008, Ontario led the country in mineral production with an estimated \$9.6 billion in new wealth generation. Northern Ontario's 27 metal mines accounted for \$6.6 billion of this production. Ontario also continues to lead the country in attracting high-risk investment capital, with over \$667 million spent on exploration in 2008. We are forecast to lead the country once more this year, increasing our market share from 24% to 28% in 2009. For that simple reason, mining is an economic imperative in Ontario. We must ensure that its governing legislation is modern, balanced and equitable.

Our proposed amendments to the Mining Act bring clarity and certainty for the mining industry; they recognize aboriginal and treaty rights; they provide for a process of dispute resolution; they address issues related to surface versus mineral rights; and they link mining development to the development of land use plans in Ontario's far north.

It would be fair to say that since I first stood with the Minister of Northern Development and Mines—and now Forestry—at the ROM, and we made the public announcement that we would be moving forward with improvements to the Mining Act with support from the Ontario Mining Association, with support from Garry Clark of the Ontario Prospectors Association, with John Beaucage, the chief at that time of the Union of Ontario Indians, and other stakeholders for our efforts to improve the Mining Act; through our introduction this spring of the Mining Act; through second reading debate of the Mining Act, through consultations here in Toronto, in Thunder Bay, in Sioux Lookout, in Chapleau and in Timmins, where we heard from people from across the province.

I remember in Chapleau the presentations from NAN, as they spoke to us with a great deal of sincerity, with some courage and with some very insightful comments about how this may work in the traditional lands of some of their First Nations moving forward. I think members should understand—and I speak to my friend from Oshawa, who was with us in Chapleau and, I believe, Timmins after that—that one of the interesting things we were doing on this committee was speaking to first reading debate also on Bill 191, the Far North Act, and many of his comments reflected the relationship between the Far North Act and Bill 173, the Mining Act. I think that was very important to moving on now to Bill 191 so we can complete our work making 173 and 191 work together as a package in that far northern part of province.

1610

I appreciate my friend from Timmins–James Bay. He makes some good points. He obviously is familiar with that part of world which we now refer to as the far north; much of his constituency is there. I appreciate his comments regarding the issues with First Nations and remind him that this bill, for the first time, reflects the province's

recognition of the aboriginal rights and the right to consultation of First Nations on their traditional lands.

This is a bill that we have worked very hard at. This is a bill that has been in committee now for five days. For fully one third of the time during those five days, we sat on our hands. Why did we sit on our hands? Because the Conservative critic on the committee would leave the room to consult, with himself apparently, for 20 minutes.

I just want to suggest that this is a breakdown in the process. This is not fulfilling that. We quite clearly, as a government, would have preferred that this process move without the filibuster, at a time when Ontarians expect that we move forward with Ontario's economy, with issues that drive our economy. They expect us to move forward, and I'm pleased to be here to support this particular time allocation motion at this time.

I would like to thank members for their participation in the debate.

The Acting Speaker (Ms. Cheri DiNovo): Further debate? No?

Ms. Smith has moved government notice of motion number 139. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

I will call the members at this point, and this will be a 10-minute bell.

I have received a notice of deferral. This vote will now be deferred until tomorrow during deferred votes.

Vote deferred.

OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT (VIOLENCE AND HARASSMENT IN THE WORKPLACE), 2009

LOI DE 2009 MODIFIANT LA LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL (VIOLENCE ET HARCÈLEMENT AU TRAVAIL)

Mr. Fonseca moved second reading of the following bill:

Bill 168, An Act to amend the Occupational Health and Safety Act with respect to violence and harassment in the workplace and other matters / Projet de loi 168, Loi modifiant la Loi sur la santé et la sécurité au travail en ce qui concerne la violence et le harcèlement au travail et d'autres questions.

The Acting Speaker (Ms. Cheri DiNovo): Debate?

Hon. Peter Fonseca: I will be sharing my time with my parliamentary assistant, the member for Brampton West.

Today I rise in this House to speak out against violence in the workplace. It's something that we cannot tolerate. Violence in the workplace is harmful. It's hurtful to the worker who is hit. It harms the family of the victim. It damages the working atmosphere. It hurts

the business. Today we undertake second reading of Bill 168. This is the Occupational Health and Safety Amendment Act (Violence and Harassment in the Workplace), 2009. This bill would, if passed, clarify for employers and employees their responsibilities and rights to prevent and respond to workplace violence and harassment.

This bill says that we're taking action to do what we can to rid Ontario workplaces of violence and harassment. The reason we're doing this is fundamental: It's the right thing to do. Every day across Ontario, men and women leave their homes and head to work, and when they leave, they expect to return home safe and sound. Every day, somewhere in this province someone heads to work, and sadly, that person goes to work afraid. They spend their days in fear, and there is worse: They're punched, they're shoved aside, they're pushed down, they're tripped; they're physically abused simply because they're at work, and sometimes they die.

The workplace is supposed to be safe. That's why we have occupational health and safety laws. The underlying basis for these laws is the requirement that employers are responsible for the safety of their workplaces. The time is ripe to move forward. The Occupational Health and Safety Act, as it currently is, provides employers the responsibility, through a general duty clause, to keep their workplaces safe. The proposed amendments, however, would help clarify the act as regards to workplace violence and harassment. They would also add a definition of "workplace violence" to the Occupational Health and Safety Act. A definition of "workplace harassment" would also be included, which would cover the broad range of types of harassment, comprising psychological, sexual, bullying, and intimidation.

"Workplace harassment" means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome." Additionally, Bill 168 would state, if passed, "If an employer becomes aware, or ought reasonably to be aware, that domestic violence that would likely expose a worker to physical injury may occur in the workplace, the employer shall take every precaution reasonable in the circumstances for the protection of the worker." The bill would also provide certainty to workers about their rights. With this legislation, employers would better understand their responsibilities, and workers their rights, in preventing workplace violence and addressing harassment.

After consulting with employers, labour and women's groups, we recognize that the protections and responsibilities under the Occupational Health and Safety Act should be clarified. Workers and employers need to know what is expected of them. We have to try to make our workplaces safer, fairer and healthier. We're working hard at making workplaces safer. My ministry's strategy for enforcing the Occupational Health and Safety Act, a strategy we call Safe at Work Ontario, gives inspectors more flexibility to work with employers and to develop strong health and safety cultures. My ministry has addressed the serious issue of workplace health and

safety by hiring more inspectors and by continually looking for ways to make the whole system function better.

One way we can make it better is by amending that very same law, the Occupational Health and Safety Act, so that we can address workplace violence. Our obligation is to deal with workplace violence, not just from another worker but from anyone who enters the workplace. It could be a patient in the hospital, or a student, or a parent at a school, or a customer at a convenience store. Our obligation is to deal with workplace violence. The act as it is now does provide that employers have a general duty to keep their workplaces safe, and that does apply to workplace violence. These amendments are intended to build upon the current protections that exist in the act.

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Last year, in the period from April 2008 to March 2009, the ministry received 170 complaints related to violence in the workplace. In the same time period, inspectors made 417 field visits and issued 351 orders related to violence in the workplace. In the last 12 years, three coroners' juries have recommended amendments to the Occupational Health and Safety Act.

There's no denying that violence occurs in our workplaces. We need to work together to eliminate workplace violence.

Here's what Bill 168 will do. First, it will clarify the obligations and the rights of workers through policies and programs. Second, it will show employers what minimum standards are expected for workplaces, as the Ministry of Labour will be providing checklists and guidelines to set those standards. Third, it gives workers the right to refuse if their situation is unsafe.

When there is a safety guard missing from a piece of machinery, workers have the right to refuse work on that machine until the condition is corrected. When workers are required to work with a potentially harmful chemical, they have the right to refuse, unless they're provided with the proper protective clothing. Workers who are threatened with violence need that same right, and that's what we're doing. We're giving them that right.

Under these proposed amendments, employers would be required to prepare a policy with respect to violence in the workplace. They would have to develop and maintain a program to implement that policy. Such a program would include measures and procedures for workers to report incidents or threats of workplace violence. It would also include measures and procedures for summoning immediate assistance when workplace violence is threatened or it occurs.

Workers would be provided with instructions on what to do when faced with violence and who to go to, and the program would set out how employers are to investigate and deal with these incidents, threats and complaints of workplace violence. The proposed bill would make clear to workers that their right to refuse unsafe work also includes situations of violence.

As a matter of fact, under our health and safety legislation workers do have the right to refuse work when it

could be dangerous. Employers would have to assess the risks of the workplace violence that may arise from the nature of that particular workplace and the type of work or conditions that those employees work under.

The program would include measures and procedures for controlling the risks that have been identified, and we will also be providing employees with information on workplace violence.

We've worked hard, listening to stakeholders about how to address workplace violence. So far the response from the people of Ontario, employers and employees alike, has been positive. After the introduction of Bill 168, Elaine Mac Neil, president of the Ontario English Catholic Teachers' Association, issued a statement congratulating the government for its action, and it reads: "The amendments to the act that were introduced today are acknowledgements by the government that workplace violence and harassment are unacceptable. Requiring employers to implement policies and programs that prevent workplace violence and harassment is a significant step towards creating safer workplaces." I couldn't agree more.

Doris Grinspun, executive director of the Registered Nurses' Association of Ontario, also congratulated the government by saying, "great progress" moving "in the right direction."

I acknowledge that many employers have good prevention training and reporting programs in place today. We want to ensure that all workers have these programs in their workplaces and that employers are clear on what their responsibilities are in preventing and responding to workplace violence and harassment.

Our legislation addresses the specific needs of different workplaces. It would provide clear direction about what is required of employers. At the same time, it would allow the flexibility to develop policies and programs that meet the needs and risk levels of individual workplaces.

During our consultations, we heard about the importance of ensuring that workers are informed about potentially violent persons they may encounter. If a worker can be expected to encounter a person with a history of violent behaviour, the proposed amendments will require employers to provide information to workers about that person. To balance privacy concerns, though, the disclosure of such information would be limited to that which is necessary to protect the worker from physical injury.

Another key point I want to make is that the legislation pertains not just to worker-to-worker situations. Employers also have to have violence policies and procedures that would deal with people when a worker is likely, in the normal course of their duties, to come in contact with somebody who may be dangerous. In retail settings, this would include customers; in schools, students and their parents; in health care settings, patients and their relatives. These are just some examples.

We want to get in front of an incident. We want workplaces to create an environment that says to each

and every worker that violence is unacceptable in this workplace and violence will be dealt with. We, I believe, through these amendments, have created a framework for such a workplace environment.

This legislation is not expected to substantially increase the regulatory burden or costs on Ontario businesses. I've met with many employers, I've toured workplaces to see the dedication of employers to keeping their employees safe, and I commend them for that. For years, the Ministry of Labour has been requiring employers to take reasonable precautions against workplace violence. Many employers already have policies and programs in place today. These amendments will help businesses be more competitive. The goal of these amendments is to protect workers from violence and harassment. Preventing injuries and absences translates into higher worker morale, increased productivity, reduced lost-time injuries and reduced workplace insurance premiums and costs.

We recognize the importance of assisting business with the requirements set out in this bill. My ministry has worked and will continue to work with our health and safety partners to create easy-to-follow guides, checklists and templates to help employers comply with the law.

At this time, I would like to acknowledge the hard work, wisdom and good counsel of my colleagues the education minister, Kathleen Wynne, and the Minister of Health and Long-Term Care, David Caplan. I also want to thank the staff of their respective ministries for their dedication in addressing workplace violence within their respective sectors.

I would also like to thank all the hard-working staff at the Ministry of Labour who have worked on this piece of legislation, as well as, from within my office, Rob Walters, Julie Garner and Melissa Banfield, who have all worked very hard to get us to this point.

As with any health and safety risk, we all need to work together to make safer workplaces. I ask the members of this Legislature to stand with me in passing these amendments. I ask you all to stand with me and stand against workplace violence. Thank you.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments? The member from Lanark-Frontenac-Lennox and—

Mr. Mike Colle: He said he was sharing the time.

The Acting Speaker (Ms. Cheri DiNovo): Sharing the time? Okay. Sorry. The member from Brampton West.

Mr. Vic Dhillon: Bill 168 is an important piece of legislation. It is a needed piece of legislation, for which reason I ask my colleagues to raise their voices against violence and harassment in the workplace. Violence and harassment are serious and significant issues in the workplace. Our government is serious about dealing with them. The proposed legislation would require employers to develop policies and programs to help prevent workplace violence and address harassment.

1630

Since the introduction of this bill, it has received broad support. Businesses understand that it is in their best

interests to act to protect their workers. According to the Workplace Safety and Insurance Board, an injury to a worker is very expensive. In 2008, employers paid more than \$24,000 in direct costs and more than the \$96,000 in indirect costs for a single lost-time injury. That gives a total of more than \$120,000 per worker per injury, and of course that doesn't include the emotional cost that the families and friends of an injured worker have to bear.

The support for this bill comes from a wide range of groups. Mr. Smokey Thomas, president of the Ontario Public Service Employees Union, noted, "When I read the announcement, it is clear the ministry has been paying close attention to many of the arguments" that have been raised "over and over again for years."

The president of the Ontario Medical Association, Dr. Ken Arnold, said:

"Ontario's doctors commend the provincial government for its introduction of Bill 168 which aims to better protect workers from violence in the workplace.

"We believe every health care provider has the right to a safe work environment, and we hope these legislative amendments to the Occupational Health and Safety Act will help to ensure their safety."

I hope all members of the Legislature will join the millions of Ontarians in supporting this bill. This is a broadly based initiative. In addition to violence in the workplace, this legislation also addresses workplace harassment, and domestic violence when it enters the workplace. The Minister of Labour and the Ontario Women's Directorate have worked closely together to respond to the coroner's jury recommendations in the Dupont-Daniel coroner's inquest. In addition, we have worked closely in developing our responses to the domestic violence advisory council's most recent annual report. We at the Ministry of Labour also consulted with the Ontario Women's Directorate in the development of Bill 168, and we will coordinate with them on the implementation of the legislation, should it pass.

The Ontario Women's Directorate is represented on the Ontario health and safety council of Ontario's steering committee on workplace violence. In addition, the province is supporting a workplace training program delivered through the Centre for Research and Education on Violence Against Women and Children in London. This program will give both employers and employees access to the information and tools they need to recognize the signs of abuse and take appropriate action.

This past June the Honourable Deb Matthews, Minister of Children and Youth Services and Minister Responsible for Women's Issues, spoke in this Legislature. She said, "We need strong women for a prosperous Ontario, and in this economic climate more than ever, we need our businesses to prosper. Women need to feel safe and respected in the workplace." I doubt there is anyone who would disagree with Minister Matthews. For Ontario to prosper, we need businesses in which energetic, creative employees are fully engaged in their work. Workers who are fearful are not engaged, which is not good for workers, not good for businesses and definitely not good for Ontario.

We're facing challenging economic times. Now is the right time to move forward and help workers go to work knowing that they'll be safe. It's time to help energize our workplaces. It's time to move forward with this legislation.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments.

Mr. Garfield Dunlop: I'm pleased to stand and respond to the comments made by the minister and the parliamentary assistant on this legislation. However, I have to tell you right up front, I don't know the legislation inside out, and I'm going to look forward to what happens in committee and debate and what we hear from our stakeholders, as opposed to some comments made by the government members and quotes they've made from the OMA and places like that.

What I do want to say is that I'd like to see some legislation actually be completed sometimes. What I'm thinking about is the presumptive legislation for firefighters. In minutes here in this House, we passed legislation, first, second and third reading supported by all parties, to make sure professional firefighters receive presumptive legislation.

As we move forward, we're looking for that to be extended to volunteer firefighters. That was promised to them. That was even promised in a press release. Even yesterday at the firefighters' memorial service, the president of the Ontario Association of Fire Chiefs mentioned it again. He thanked the government for any work they had done on the memorial, but asked, "Why can we not have presumptive legislation brought forward for our volunteer firefighters, who represent more firefighters and more numbers than we actually have for professional firefighters in this province?" I'd like to see it completed, and I'm not going to support this legislation until I see that legislation come in for the volunteer firefighters, because they deserve it and they expect it and the citizens of rural Ontario deserve and expect it as well. They were promised it by the Premier, by the Minister of Community Safety and by the Minister of Labour, and they've dragged this thing on forever and forever, consulting, consulting. Two and a half years later, they're still consulting. That's what he said in his comments earlier, that he consulted on this bill. Let's make sure the presumptive legislation for volunteer firefighters is complete and extended to them and done as soon as possible, before this session ends when we leave here in December.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments.

Mr. Peter Kormos: New Democrats are going to have a chance to speak to this more fully in perhaps 20 or 30 minutes.

The bill is what I would call "just fine," and let me explain what I mean by that. There's a story about the worker whose foreman called him into the office the day before the Christmas break. He gave the worker a bottle of wine. The worker said, "Thank you very much, boss." He went home and came back after Christmas. A day

went by. Two days went by. Three days went by. He didn't mention anything about the wine. The foreman finally came over to him and said, "The wine—did you enjoy it?" He said, "It was just fine." The boss said, "What the heck does that mean?" He said, "If it was any worse I wouldn't have drunk it. If it was any better you wouldn't have given it to me."

This is legislation that's just fine. There's a strong community out there that has been desperately waiting for legislation that deals with harassment in the workplace. There are some families of some dead women who have been praying even harder. I'm going to talk about those in the short time that's allotted to me.

Having said that, there are some serious concerns about the legislation and some critique about it. New Democrats are going to embark on that. This might have been an appropriate bill, in hindsight, to put to committee before second reading so that the adjustments, the fine tuning, could have taken place before the bill came to the House for second reading. It aims at the broader target but doesn't come close to hitting the bull's eye. While folks out there in various communities—I'm going to speak to them when I address it. Paul Miller is speaking next, after the Conservative speaker, and you know that Paul Miller will give this issue a thorough analysis. But I would just ask you: Let's not start jumping up and down and turning cartwheels, because there's stuff to be said about this that could make it better.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments.

Ms. Helena Jaczek: I'm pleased to rise in support of Bill 168 to amend the Occupational Health and Safety Act. I'm sure we're all agreed that violence and harassment have absolutely no place in the workplace, and I believe that our government is taking this issue very, very seriously. It certainly is comforting to know that the very broad consultation that has occurred since September 2008 has generated, I would say, some real praise for the actions our government is taking. I'd really like to elaborate on how some of the public sector unions have approached these amendments.

1640

Ken Coran, president of the Ontario's Secondary School Teachers' Federation, OSSTF, has said, "The amendments introduced to the act clearly demonstrate that workplace violence and harassment will not be tolerated. Employers will now have to identify harassment and violence as hazards and implement policies and programs that are both preventive and responsive."

Smokey Thomas, president of OPSEU, the Ontario Public Service Employees Union, has stated:

"After years of lobbying and all-out campaigning by OPSEU and other unions, the changes announced by Minister of Labour Peter Fonseca are like a gust of fresh wind blowing through the workplaces of Ontario.

"We warmly welcome the government's initiative on this critical health and safety issue and we can only hope that the changes will be locked into place with the required resources and enforcement muscle."

I think we can assure Mr. Thomas that that's exactly what our government intends to do.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. John O'Toole: I think, if you listen to the comments here, everyone in this place agrees with the current legislation and the right to refuse unsafe work. That isn't the debate here. The debate is much more treacherous. It's the things they're not doing, as the member from Simcoe North mentioned—recognizing volunteer firemen is one example. I would say, if you listened to even the comments by the minister, in his prepared notes, that the sincerity in this just isn't there.

I can only say that I'm waiting anxiously for the member from Lanark-Frontenac-Lennox and Addington to bring some teeth to this, to doing the right thing—and I have some time. I hope he'll recognize that I will have some comments on this as well.

The way this bill is being poised is that we should be in favour of it; in a general sense, we are. But it's the things that are missing and the disingenuousness of this bill that are the most treacherous part of it. It isn't doing what it purports to do.

In fact, it's another one of those cases where you look at this government's action, or lack of it—on this Bill 168, which was introduced back in April. The time has come for them to come clean about what it is they're doing. In fact, I'll bring some clarity to some of the background of this in their sexual harassment portion of the bill.

The way they're going about this is so mean-spirited for the individuals who have personal disclosure information, and employers who may take reprisals—or not wanting to know some of these sorts of things. I think, up to the individual—and there was a proposal put forward by the government in 2000 to remedy this sexual harassment in the workplace.

So it's what's not in the bill that is most troubling, and the disingenuous way this minister with the buttoned jacket and the quick hand movements—well-trained theatrics—that makes me feel suspicious about what's actually going on here.

The Acting Speaker (Ms. Cheri DiNovo): The member from Brampton West has up to two minutes to respond.

Mr. Vic Dhillon: This bill is what it is, as outlined by the minister. It'll go a long way in improving our workplace conditions. Some of the very, very serious things occur when workplace violence occurs. As I stated earlier, we need an energized workforce, and with the violence taking place in the workplace, we will never get to that point.

Another factor in this bill is the spousal element, where people approach their ex-spouses at their workplace in an attempt to disrupt their work climate, and we have taken serious measures to ensure that doesn't happen.

We've consulted with a broad range of stakeholders and we've received broad-based endorsements from them.

As I stated earlier, workplace safety not only emotionally injures our workers—but financially as well. The impact on our businesses is quite significant, as I stated before: \$24,000 in direct costs and \$96,000 in indirect costs, which totals more than \$120,000, a great impact on businesses that are trying to operate in these tough economic times. So I hope my colleagues in the Legislature will support this bill.

The Acting Speaker (Ms. Cheri DiNovo): Further debate? The member for Lanark–Frontenac–Lennox and Addington.

Mr. Randy Hillier: First, I'd like to indicate that I will be sharing my time with the members from Wellington–Halton Hills and Durham.

We all know the reasons for this bill. The tragedy of the Lori Dupont case showed us all the dangers of workplace violence. Ms. Dupont was killed by Dr. Marc Daniel at her place of work. The signs of workplace violence were there for all to see. However, this government's attempt to solve the problem, which the Dupont case highlights, is woefully inept.

I'd like to put on the record and to reflect that I support the reasons and the intentions behind this bill. Violence of all types is deplorable. But we do know that it's government's role to help protect citizens, not to abdicate their responsibility and delegate this responsibility to employers. This is why we have police and courts: to help protect citizens. This bill seeks to change that relationship.

This bill is nothing more than another attempt by the Liberal government to pass the responsibility of government away from themselves and on to others. We have seen how, in the past few months, such actions have come to haunt the Liberal Party. They've delegated ministerial responsibility to agencies, boards and commissions, and this has resulted in a summer of scandal for the Liberal Party. At eHealth, at OLG and WSIB—and there will be more—we've asked this government time and time again to take control of its ministries, rein in their ABCs and take ownership of their responsibility.

Now this Liberal government is at it once again. Bill 168 passes the buck. Instead of giving the law over to police officers and judges, they're making individual business owners responsible for the private lives of their employees. Bill 168 requires an employer to know the intimate details of an employee's life. One of the provisions requires that an employer who "ought reasonably to be aware" that domestic violence will spread in the workplace take "every precaution reasonable" to prevent violence. But who can judge whether an employer is reasonably aware or should be reasonably aware? Shall employers begin spying on their workers, and are they liable if they do or do not spy?

In legislation, perspective is everything. It is probably the most dominant criterion in crafting legislation. But this Liberal government views everything in a very narrow focus and sees everything from a very urban, static or stationery mindset. I'll get into this in a little bit, down through my address on this subject.

The inquest in the Lori Dupont case was released in December 2008. That same month, the honourable member from Durham, John O'Toole, introduced the Lori Dupont Act to curb workplace violence. The members opposite did not support it, and it was quickly and quietly killed by this Liberal administration. It's now October 2009. Where was the Liberal Party during all this time? Are they just attempting to play politics with people's lives? This speaks to the honourable member from Durham's discussion in his comments about the disingenuous actions of the Liberal administration. The time they have wasted could have been used to stop workplace violence. As the minister spoke, he said since that time there have been 170 complaints, 417 visits by Ministry of Labour inspectors and 300 orders, but the Liberal government was silent. Where were they? Where were the members opposite when Mr. O'Toole was presenting the Lori Dupont Act? It's pretty obvious, I think, to everyone here, they just want to get some credit for themselves and damn the consequences of their actions.

1650

There are a number of components in this bill which must be put on the record for people to be fully aware of what actually is the content and how it will affect people. Unlike the manufactured comments by the minister, I've read the bill, and it causes me significant concerns.

One of them is that we're talking about workplace violence, but this bill is about much more than just workplace violence. It has used the word "harassment," and harassment, as it is set out in this bill, refers to comments or conduct that are unwelcome by someone in the workplace. This is a huge, broad, all-encompassing and, I would say, false concept of what harassment is. I'm sure if you asked anybody on the street, "Is harassment an unwelcome comment?"—the legal definition, of course, of harassment is prolonged and intolerable conduct by a person to another—disorderly, confused, and troubling conduct, but in a prolonged fashion. Harassment under this bill is an unwelcome comment.

I would like to ask everybody: What would happen if, let's say, two hockey fans are at work one day, and one is a Toronto Maple Leafs fan and one is a Montreal Canadiens fan, and the Montreal Canadiens fan says, "We really put it to you on Saturday night, didn't we?" Would that be unwelcome? Would that require a policy and a program?

This is quite a new, unique way for the Liberals. When they're crafting legislation now, they're also redefining words, so we can't begin to understand what the legislation is actually meant to do.

This law ought to deal with violence in the workplace, not annoyances. That is what the people of this province are looking for. We are here to deal with violence. Many things in our workplace are unwelcome. I experience it every time when I'm in committee with the Liberals. I would like to take that opportunity, if this bill does pass, to have a program in place to prevent the unwelcome Liberal actions within committee.

If a person's comments or actions in the workplace are disorderly or troubled, this becomes grounds for an

action against the employer. Neither the law nor the employer can ensure or be expected to ensure that no employee is ever subjected to an annoying or disorderly comment or action.

This is not my understanding or most people's understanding of harassment. The legal term "causing vexation" is more appropriate, and to subject people to "persistently and wrongfully to annoying, offensive or troubling behaviour," that's what is harassment, not an unwelcome comment.

Hon. Leona Dombrowsky: According to you.

Mr. Randy Hillier: That's a legal definition for the minister from Hastings or the Minister of Agriculture.

An employer under this act will be bound to produce costly policy manuals and programs regarding both violence and harassment. What these may manifest themselves in is a complete mystery to all of us as the Liberals continue to redefine words. They've passed the buck again, and this time to the bureaucrats and the regulations, instead of taking ownership themselves.

Are we to remove people from the workplace and educate them as to what constitutes an unwelcome comment or conduct? Are they to go to re-education camps? Regardless, this bill will result in lost productivity and increased costs to all employers at a time when our economy is hemorrhaging jobs and unemployment is accelerating. Will employers be required to employ security officers and bodyguards? We're unsure. That is left for regulations.

But there also is something very important here, and it talks to the privacy. How is an employer able to assess risk without intruding into the privacy of an employee's personal life? How is an employer to be expected to predict the future behaviour and use of vocabulary without also demanding expensive behavioural and psychological testing and analysis? I'd like the minister to explain that. How are employers going to predict this future behaviour? The employer is then obligated to share these evaluations—and it is an obligation under this act—with other employees in the workplace. Surely that's the most atrocious affront to privacy in our country—and opening the door wide open to chaos in the workplace.

This idea that it is now the employer's obligation to intrude into people's privacy—I would like everybody on the other side of this House to answer me this one question: Is it the Speaker's role to know my private life? Is it the Premier's role to know the private lives of every individual on the opposite side? This is a workplace. How is the Liberal government going to deal with that? How do you practically expect that to happen?

The bill also provides for reassessment. It states clearly in the act that there will be a requirement for reassessment and it will be as often as necessary. How often is that? None of us are sure. Is it a reassessment required with the arrival of every new employee in the business, or with the departure of every ex-employee? Are the reassessments to be done by quarter, by annum, or by additions of shifts or product lines? No one is to know. Nobody can know.

On the subject of domestic violence, the employer cannot be reasonably expected to know the personal relationships of employees, spouses or partners without a complete breach of people's privacy. And once again, if there are suspicions of potential violence, these personal details must be shared with all employees in that workplace.

The government appears to be reacting and responding to the tragedy of Lori Dupont but completely ignores the coroner's recommendations. Here are the coroner's recommendations. It would be wise for the members of the Liberal administration to actually read what the coroner had to say about that case.

Mr. Peter Kormos: Maybe you're going to tell us.

Mr. Randy Hillier: I may add a few comments about that.

This bill appears not to be responsive but it appears to be a PR exercise that will increase costs to businesses and achieve nothing or of little substance. It appears, as the honourable member from Welland said—it hits a big target but misses the bull's eye. I would refer to it more that it's a scattergun approach, and you might also add, with maybe a scatterbrain behind the gun.

1700

It is the responsibility of the police and the justice system to protect people from violence, and it is the responsibility of every individual to watch out for violence and to protect our fellow men and women from harm, but it is not the responsibility of business. In this bill, we are shifting the responsibility and turning it into a liability, and it is clear that this Liberal administration is confusing criminal law with occupational safety. There is a difference, there is a distinction, and the members opposite should look into what those differences are and why we have differences.

This bill attempts to address problems of harassment in a stationary workplace. This comes back to perspective. We see the bureaucracy, and the members here who have poorly constructed this legislation clearly have a view that everybody works in a stationary environment and that we can put together a policy or a program and post a notice to protect these people, and it applies to every employer that has greater than five people. How are we going to protect the truck drivers who are traveling around this great country, province, and indeed the continent, who are employed by a firm that has more than five trucks? How is that going to happen? How is it going to apply to tradesmen on construction sites or in service vehicles around this province? Has anybody on the government side actually sat down to think about what is going to happen here? You are creating and crafting a piece of legislation that cannot be applied.

There are two main points about the Lori Dupont case that resulted in her death that this bill does not address: timely access to the legal system and timely access to restraining orders, but also the protection for employers to discipline employees who are known to be problems. If you read through those recommendations and if you read through the case, you'll see clearly that had Lori

Dupont been able to get a restraining order, it would have been a substantial defence for her. But our legal system failed her, and this bill does nothing to address that failure.

It is also clear that through all that tragic story, people in the workplace, people in positions of authority over her attacker—murderer—knew there were troubles, but they were fearful of taking discipline action because of legal liability. This bill does nothing to encourage those employers to actually take action and it does not protect them against liability for taking appropriate and reasonable action. A restraining order would have greatly aided Ms. Dupont. She could not get one, and there was no way to enforce one had she gotten one.

Where are the Liberal members on this issue? Where is the thumping of the chest when you read the bill? They have introduced a bill which, instead of working within the purview of government to streamline the legal system, instead of helping police officers to stop and prevent crime, instead of allowing judges to better prosecute offenders, places all the blame and liability on the shoulders of business owners.

Another important part of this bill that remains unaddressed is just how an employer is supposed to stop this workplace violence or harassment. I talked about encouraging disciplinary action—it's not in this bill. Instead of increasing employers' liability, as this bill sets out, the members opposite do not seem to realize that such legislation creates an enormous disincentive for employers to hire workers who are in a relationship.

Think about that for a minute. This is always one of problems with Liberal bills, the unseen and unintended consequences.

Under this act, we are putting so much expectation and liability on employers, so much additional cost and regulatory red tape. Is the employer not now going to have a financial incentive, a monetary incentive not to hire people who are in a relationship? The law of unintended consequences happens every time when legislators are looking at their feet instead of down the road.

This bill does not in any way address the ability of an employer to handle cases of harassment or violence directly through disciplinary actions. One of the main problems identified in the Lori Dupont case was that the hospital was afraid to pursue those actions for fear of liability. This bill does not help any employer prevent violence.

I would also like to say, we hear so often from the government side these promises of action. The member from Simcoe North talked about presumptive legislation. Yes, the Liberals are going to do this. We're going to get this bill through.

It reminds me of another promise that the Liberals made earlier during this session, and that was for every regulation that they brought forward, they would get rid of one. Does everybody remember that? It's called the Premier's reduction of red tape. He's going to get rid of unnecessary regulations, regulations that do not provide value to people, regulations that are costly and expensive and do nothing.

I have to share this little story with the members opposite. I was in the bookstore a couple of weeks back and I picked up this book right here. This is the pocket edition of Ontario Provincial Offences. What's interesting about this book of 3,400 pages of fine print is that since the Liberals took power in 2004—

The Acting Speaker (Ms. Cheri DiNovo): I would caution the member to not use props in this House. Thank you.

Mr. Randy Hillier: This is not a prop. This is a—

The Acting Speaker (Ms. Cheri DiNovo): No, I know. Thank you.

Mr. Randy Hillier: This book has expanded, since 2004, now to 3,400 pages. A short six years ago it was 2,000 pages. This book now has half a million regulations and laws poorly constructed by this Liberal administration. What happened to that promise of getting rid of one for every one that they bring in?

We cannot believe anything that this Liberal administration is bringing forward. We have seen a summer of scandal. We have seen passing the buck continually. We now see the redefining of legal terms. "Unwelcome conduct" is now a violation or will be a violation in this province. It will be added to the provincial offences. It will be added to the half a million pieces of fine print. Once again, the Liberal government will have advanced a piece of legislation that appears good in the press and provides no value, no protection and no benefit to anyone in this province, but most assuredly will result in greater expense and fewer jobs by businesses in this province.

But the thumping of the chest and the wailing and the gnashing of the teeth on the Liberal side will continue, of how important and how thoughtful they are, but anybody who actually looks into and reads the legislation will agree with my colleague the member from Durham that this bill is disingenuous.

The Acting Speaker (Ms. Cheri DiNovo): Further debate? The member for Richmond Hill. Hold it for a second: Were you not dividing your time?

1710

Mr. Randy Hillier: Yes.

The Acting Speaker (Ms. Cheri DiNovo): Okay. Further debate?

Interjections.

The Acting Speaker (Ms. Cheri DiNovo): Do we want to move to questions and comments? Okay. Questions and comments?

Mr. Peter Kormos: The member from Lanark-Frontenac-Lennox and Addington has earned some antipathy over the course of the last several years, and there's that hack phrase that says you're known by your friends. I say you're also known by your enemies. As long as you've got the right enemies, you're doing okay, huh? But I find it impressive that he comes to this chamber and can speak the way he does about the matters before us and incorporates into those comments his own personal experience, his own insights.

It's a rare occasion when I agree with him. I suspect it would be not unfair to say we're at the opposite ends of

the political spectrum. He is Ayn Rand and I'm—oh, let's see—Marx, and not the brothers. Here's Mr. Hillier, Ayn Rand; here's me, Marx, not the brothers. But that's okay.

I think one of the things we've got to understand is that the member for Lanark-Frontenac etc. brings a viewpoint that I'm sure he shares with a whole lot of folks, and they have a right to be spoken on behalf of in this Legislature too. Don't you think so? I find it impressive that he comes here and—look, you don't have to agree with what he said. When he says it, he says it in an articulate way. He presents himself well, and I just want to say it was a delight to listen to his comments.

I am looking forward to making some of my own, perhaps 10 or 15 minutes from now. I just hope we have enough time for me to give a substantial contribution to this debate. Otherwise, all this waiting would be a shame.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. Reza Moridi: It's a pleasure to rise in this House and contribute to the discussion on Bill 168, occupational health and safety. There is no room in Ontario workplaces for harassment and for violence. Our government and Ontarians take this very seriously. That's why our government about a year ago launched public consultation on this very issue.

Ontarians have spoken on this. Based on what we have heard from Ontarians, our government has prepared Bill 168, and the bill is before the House for debate. Once this bill passes, if it is passed, in the House, the current Occupational Health and Safety Act will be amended so that employers will be obliged to come up with a program and a policy in the workplace so that they will address every single workplace harassment and violence issue. Our workplaces must be safe for all workers in order to be workable, in order for people to feel freedom to work without any harassment or any fear.

Ontarians, as I said, have spoken on this proposed bill and on this issue. I'm just going to quote a couple of people who have spoken loudly in support of this bill; for example, Elaine Mac Neil, president of the Ontario English Catholic Teachers' Association, says, "The government is to be congratulated for making changes to the Occupational Health and Safety Act regarding workplace violence and harassment. The amendments to the acts that were introduced are acknowledgements by the government that workplace violence and harassment are unacceptable."

Doris Grinspun, executive director of the Registered Nurses' Association of Ontario, also said—

The Acting Speaker (Ms. Cheri DiNovo): Thank you. Questions and comments?

Mr. John O'Toole: I honestly think that the members that are still here should have paid attention and encouraged the member from Lanark-Frontenac-Lennox and Addington to hold hard on making sure that fairness occurs. As he said, and as I say and as the opposition members say, if the whole story was being told here, we would have no question but to support making

workplaces safer. But what about the volunteer firemen? Those are simply solved issues—not as controversial as this issue. But the member from Lanark-Frontenac-Lennox and Addington made it very clear: There are parts of the bill that don't tell the whole story. Why isn't this being extended so easily?

As a matter of fact, the treachery of it is this: Earlier this year, in a government bill, number 133—this is the tragedy of the whole story. You have to see what's going on here, the chess pieces being moved around—time allocation, closing debate down. Bill 133, sections 19, 20 and 21, should be reviewed. Now, what did these sections do? Those sections actually repealed a bill that was passed in 2000—the act was called the Domestic Violence Protection Act—which would have allowed persons who were threatened by a partner to get a restraining order. More simply, they actually repealed a bill that was passed that would have done what this bill purports to do.

Why are they doing that? What is the mystery around this? Trying to get all of this domestic stuff into the workplace, where the employer—maybe five or six employees will know that one of the employees has been the victim of some sort of abuse, physical, sexual, whatever type of abuse, which isn't acceptable to anyone. Now they've got to tell the employer, who may be—

The Acting Speaker (Ms. Cheri DiNovo): Thank you. Questions and comments?

Mr. John O'Toole: This is not fair to the people of Ontario.

The Acting Speaker (Ms. Cheri DiNovo): The member from Hamilton East-Stoney Creek.

Mr. Paul Miller: I'd like to comment on the remarks by the member from Lanark-Frontenac-Lennox and Addington. The member hit on some good aspects of the deficiencies in this bill. We, in our party, are all for stopping workplace harassment. We're also for protecting people in their place of work.

But this is not a new thing. Once again, the government is running and taking all the glory. This bill was brought up before, I believe. Andrea Horwath's Bill 29 was more progressive and inclusive legislation than this bill—a lot more—but it seems to have fallen by the wayside like most good bills that come from the opposition do.

This bill has, unfortunately, many deficiencies. This bill lacks the coverage for domestic violence, it lacks coverage for harassment, it lacks coverage for psychological harm. It also risks hazards that are caused by workplace harassment. There's nothing in this bill to cover this. These are important aspects that have been overlooked, and once again, a bill that's rushed through, cart before the horse.

There are a lot of good aspects to it, but there are things that have been left out, which we will bring forward with amendments and suggestions that I hope, once again, will not fall on deaf ears in committee like they usually do.

I think that the bottom line is that, just because you have more numbers in committee doesn't mean you have

to turn down everything that the other people bring forward that is constructive and useful. I hope that doesn't happen again, like the member over there said.

The Acting Speaker (Ms. Cheri DiNovo): Thank you. The member from Lanark-Frontenac-Lennox and Addington has up to two minutes to respond.

Mr. Randy Hillier: I welcome the comments from the members from Richmond Hill, Hamilton East-Stoney Creek, Welland, and of course Durham.

We can see from the other comments that we've heard, as we get into the discussion, that this Liberal administration is watering down and diluting protection for people, and they're doing it under that guise of PR and under the guise of Bill 168.

There is no doubt that there is some treachery going on here, as we've seen with these restraining orders in Bill 133 that were repealed. Why is it the Liberal government has done that? Why? Why are they saying one thing and their actions are betraying their discussions?

The Minister of Agriculture mentioned pictures. I guess pictures would be unwelcome as well, even if they are of deer. Harassment should be kept as the legal definition—prolonged, sustainable, disorderly, troublesome, vexatious actions—not a comment, a comment that is now going to be unwelcome.

1720

As I said earlier, if the bill does pass, I'll be surely exercising that when it comes to committee, because I know that the next step in this House with this bill will be, like most others: As soon as the Liberals see opposition to it and wanting to see correction to it, they will cowardly run to time allocation to protect their PR bill.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. Peter Kormos: This subject of workplace violence and harassment is something that New Democrats have grappled with and worked with for a good number of years now. You already heard from Mr. Miller from Stoney Creek talking about Andrea Horwath's Bill 29, which was a little bit radical; didn't offend me at all. A little bit radical doesn't offend me; a whole lot of radical doesn't offend me when you're talking about protecting people in their workplaces. Let's understand that what prompted this bill, in large part, were the tragedies suffered by Theresa Vince and by Lori Dupont.

Theresa Vince: 56 years old, shot to death in the Chatham Sears store where she'd worked for the last 25 years. Chatham is a beautiful community. She was shot to death in the store where she'd worked for over 25 years. She had filed a complaint about sexual harassment by Russell Davis. He clearly was obsessed with her, giving her gifts that she didn't want, sending her flowers that she didn't want, and he felt rebuffed. For months, he harassed her by calling her at her home on her days off, calling her into his office 20 times a day, and staring at her while she worked in that same store. Needless to say, you know where I'm going, because Russell Davis killed her, murdered her, slaughtered her. He butchered her, and then shot himself twice in the head. That's what New

Democrats are concerned about and that's what we want to address through occupational health and safety legislation that considers workplace harassment and violence.

Lori Dupont: a nurse at the Hôtel-Dieu Grace Hospital in London. She swiped her way into the parking lot station, greeted her coworkers and the nurses where her station was, and in the change room that morning an OR nurse told another nurse that one Dr. Marc Daniel was there. Highly regarded by his peers as a top-notch surgeon, he was a perfectionist. He was a 50-year-old father of two and he had had an affair with Lori Dupont over the course of two years; it wasn't smooth sailing. He attempted suicide by injecting himself with an overdose of medication. It wasn't successful—not much of a doctor, I guess, huh? He got psychiatric treatment. Three months later, he was back on job in the same workplace as Lori Dupont. He continued to be obsessed with Ms. Dupont notwithstanding the fact that she had said no. On a quiet weekday morning this man barged into the hospital looking for Lori Dupont. Dupont walked to the supply room and was struck repeatedly with surgical precision by her former partner, mate, lover, Daniel, brandishing an army knife. The vicious attack was over in minutes. I suppose that's something that we can feel blessed for. Her assailant fled.

This death was the subject matter of a coroner's inquest; we're all aware of that. That coroner's inquest made a number of recommendations; we're all aware of that. This government has failed to introduce those standards and regulations, and I trust we're all aware of that. There may be one or two that, in response, they will argue they've made.

What we need is Andrea Horwath's Bill 29; what we got was Bill 168. I ought to tell you, we're going to vote for this bill on second reading because we learned from communities across this province that women and people who are concerned about violence against women and harassment of women are desperately eager to see anything—anything—regardless of how flawed it is. We're going to make every effort to address those flaws during the course of committee, in collaboration, I trust, with our Conservative counterparts in opposition.

Any number of groups and organizations have, as was suggested by the mover of the bill, indicated support for the legislation, this bill that's long overdue and that New Democrats regard solely as a simple, small, first step. We want to commend, thank and congratulate the people who worked hard to get this bill before us: The Dupont family and the Vince family. To make it very clear, without their courage and tenacity in pursuing justice for two women, I'm confident that this bill wouldn't be on the floor of this House today receiving second reading.

New Democrats insist that there be public hearings. I don't expect the second reading debate to be overly lengthy because we feel that the bill can more importantly be addressed in committee, and we are of the view that that committee should be allowed to control its own process. It's far too important—lives are dependent upon whether or not this is done right—for it to be the subject

matter of an informal time allocation by the Premier's office. He says, "Okay, we'll give you three days. Take it or leave it."

I don't know what the response is going to be to this bill being advertised as being in committee. I expect there's going to be a lot of response. But I, for one, and New Democrats are very concerned about the trend to set dates and basically time-allocate committee hearings before they've even commenced, before there even has been any advertising for that bill. New Democrats are adamant that this bill, once the subcommittee deals with it, be advertised. There could be an area, a time frame over the course of a month or whatever the subcommittee decides. But it is an imperative—it is an imperative—that every person, organization or group in this province that feels passionate enough to come down here to Queen's Park—the committee may decide to go to other places than Queen's Park too.

1730

Over the course of this afternoon's debate, you heard some commentary about the far north—Attawapiskat, Kenora—Rainy River, those communities surrounding James Bay and Hudson's Bay. I've been to those places with my colleague Gilles Bisson. A beaten woman in one of those communities doesn't have a shelter to go to, and when it's a one-cell jailhouse, she can't even sleep at the police station overnight, because the assailant is likely to be in there with her. This is serious but tragic stuff.

We acknowledge that for the first time in Ontario violence and harassment are explicitly being addressed in Ontario health and safety legislation. It was almost the big, dirty Canadian secret, which resulted in this not getting into the legislation before now.

New Democrats, as I say, will be proposing amendments. We argue that the bill should be doing far more than it does in its present writing. As the bill stands today, it does far too little, because, you see, policies without obligations don't cut it. It makes an arbitrary division between harassment and violence, even though experts know that it's all part of a continuum: the harassment, and then the violence, or in the secrecy of a bungalow in the suburbs they do both at the same time. But I'm talking about workplaces here.

I'm talking about workplaces that are becoming fewer and fewer in number. People who don't have jobs are willing to take jobs they wouldn't have taken a year ago or two years ago. They're willing to risk themselves, risk their health, risk of their personal safety just to get a job. That's why it's imperative that this bill not only proceed to committee but that the government be generous in its response to proposals by the opposition parties and, most importantly, proposals by the people who are inevitably going to be appearing before that committee, many of them with a great deal of expertise. We would do well to listen to them.

One of the fundamental concerns is that the bill has failed to hit the mark. Like I said earlier, it's been cited again that it's a big target, but the government has failed to hit the bull's eye. It has failed to connect the dots

regarding that continuum of harassment and violence. Victims of harassment suffer lost wages, extreme stress, and physical and psychological intimidation. And there are victims who are dead: Lori Dupont, Theresa Vince.

We've got to really, really take a close look at this bill, be candid with each other in committee, be honest and true to the our convictions and to what we know has to be done, and question whether the bill in its present state will indeed protect women. New Democrats argue that it won't. Protection would be marginal.

The bill fails to acknowledge psychological harm due to harassment—a painful, painful thing. When you were a kid, if you were walking to school and there was a gang of bullies, you could always take it on the rump. But when you have to work—and most people do have to work for a living; they don't win lotteries, and they don't inherit a whole lot of money—they've got no choice. The workplace is your destination. You can't pick another workplace.

Think—think for a minute—about the trepidation of a woman who is waking up in the dark morning, getting onto a bus, knowing that the same porcine, foul bastards are going to be harassing her once again when she gets to that workplace. But she knows she's got to go; otherwise, she ain't gonna feed her kids, she's not going to pay her rent or her mortgage on that modest home.

A little bit about Andrea Horwath's Bill 29, which we argue should be our goal when we're addressing this Bill 168 in committee: We argue it's a far more progressive and inclusive bit of legislation and that it would have been the most forward-thinking and preventive legislation in the country. Failed opportunity—I think it's called "lost costs" in the business world. Bill 29 brought violence and harassment under the occupational health and safety regime and included psychological threats and impact, bullying, insults and threats in the scope of that legislation. Bill 29 also acknowledged and understood the precautionary cycle: the fact that one type of behaviour, if it isn't addressed, inevitably escalates and leads to more and more violent situations. Women get murdered.

Look, there's going to be somebody e-mailing me saying it's about men too, and I'll acknowledge that. But at the end of the day, how many men do you see showing up in hospital emergency rooms bloodied and battered by their wives? Not too many. Yet for all of our communities it's a common, daily occurrence, even now in 2009.

It's imperative that the employer have the capacity to deal with incidents of workplace harassment. It protects the worker. It enshrines in law the right of workers—we have to talk about the right of workers—to be free of any type of workplace harassment. It requires that employers confront, investigate and terminate harassment and report it. Bill 168, the bill we're discussing right now, fails to do that in any full way. The sad reality is that if and when this bill passes—and I predict it will; it's a majority government—Ontario is still going to lag behind other jurisdictions.

The province of Quebec passed a law in 2004. Saskatchewan recently made its already progressive laws even tougher.

Australia, down under, has had workplace harassment covered under its Workplace Health and Safety Act since 1995 and clearly spells out the employer's obligation. I want to tell you what it is, and I'll give this to Hansard so that Hansard can get it accurate. In Australia, the Workplace Health and Safety Act says, "Workplace harassment may harm the health and safety of workers and other persons. Therefore, employers' obligations include identifying and managing exposure to risks of death, injury or illness created by workplace harassment." I'm not going to dispute the fact that Bill 168 creates some role for the employer. That's pretty tough language in the Australian legislation. I'm inclined to like it—a duty.

Scotland also outlaws harassment of any kind and defines harassment as "unwanted conduct that violates people's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment."

Since 1993, Sweden has respected an ordinance of the Swedish National Board of Occupational Safety and Health containing measures and provisions against victimization at work. It also covers adult bullying, mental violence, social rejection and harassment, including sexual harassment. Not only is workplace bullying illegal in Sweden; the authorities recognize the enormous harm that the behaviour causes and the cost to the state of supporting it. We should reflect on that as well, shouldn't we? The need to subsidize a victim, perhaps for the rest of that person's life, is a substantial cost.

We should be making decisions about the welfare of our sisters and brothers and neighbours and co-workers and family. The reality is that if we don't have tough workplace anti-harassment, anti-violence legislation, we're going to have victims of this same violence and harassment who are going to be on the public purse the rest of their lives. Employers are obliged to foot the bill.

1740

In Ontario today, if you want to fight workplace harassment, you've got to fight a case at the Human Rights Commission at great expense, especially after the government abolished the investigation and advocacy wing.

The McGuinty government had an opportunity to create the strongest legislation against workplace harassment and violence in all of Canada. We say he failed Ontarians. He failed Ontarians miserably with this legislation. New Democrats are going to support passage of the bill, but we want it to be far, far better than it is now. We believe it has the capacity to be and to do exactly that.

Dare I cite to you some of the examples of workplace harassment? Offensive physical contact; derogatory language; intimidating actions—your imagination doesn't have to work too hard to understand what some of these things are in the most vulgar, obscene way; insulting and threatening gestures or language, whether it's overt or merely implied; continual and unwarranted shouting in

the workplace; unjustified and unnecessary comments about a person's work or capacity for work; openly displaying pictures, posters, graffiti or other types of written materials that are deemed offensive to some; phone calls or messages on electronic mail or computer networks that are threatening, abusive or offensive to employees; persistent following or stalking within the workplace to or from a person's work or elsewhere.

Stalking: You walk out of the factory or you walk out of a little shop. You're alone and it's 11 o'clock at night. It's dark as Hades. Then you sense somebody following you. You speed up a little bit. The person speeds up too. You desperately want to get to that bus stop where there's a little bit of lighting, albeit so artificial, a little bit of protection with those Plexiglas walls. Then this person shows up at the bus stop, and you recognize them as a co-worker. Pretty scary stuff, isn't it? No person, no woman, no kid should have to live with that type of imposition of fear.

I want to tell you about a couple of the letters that have been sent. This one was back in December, when this bill saw the light of day:

"Thank you for being here.

"I'd like to thank Lauralee for opening her home to us this morning to discuss this very serious and important issue.

"Workplace harassment and violence are very serious issues that call for urgent action"—urgent action. Bill 29 was introduced in December 2007, an act addressing workplace harassment and violence. It's the second of private member's bills by Ms. Horwath, the first one being Bill 29.

"In all that time, and through all the opportunities our provincial governments have had to implement strong measures, they've done next to nothing." They've done next to nothing; Bill 29 remains on the books.

"Manitoba and Quebec have their laws in place already."

I'll read to you—no, I'm not going to read it to you. We've all got the e-mails. We've all got the letters. We know the desperation in these women's voices. We know the fear in their hearts. We also know their strength because they persist in going to work to raise their kids and put a roof over their family's head notwithstanding that they feel that risk every single minute that they're in that workplace, and even when they punch out, when they push the card in the clock machine, walking to that bus stop can be the apex of fear for that evening.

We're concerned about obligations without penalties. We're concerned. We understand that the bill prescribes that certain employers shall have a plan in place, but there's no effective means of ensuring that that plan is maintained or that the woman who's a victim as a result of that plan, and further victimized because the plan isn't in place, be fairly compensated.

I'm not going to spend much more time on this, but I say to you, if there's a bill that warrants public hearings, and extensive ones, public hearings that should probably travel down to Windsor or even go to Chatham, in

recognition of the slaughter of women there—maybe Ottawa, maybe Sault Ste. Marie; maybe, just maybe, Attawapiskat or Peawanuck—because I think women have a whole lot to say about this stuff, a whole lot.

Applause.

Mr. Peter Kormos: Mr. Miller thought I was finishing. I just bent over to fuel up a little bit.

This bill was introduced in April 2009. We've just begun second reading now. We were here through to the middle of June, as I recall it. Why, why, why would the government stall this bill? It's their own legislation. Why would the government slow this bill down? It was introduced in April. I've got the exact date here somewhere—April 20, 2009. The government just contumaciously persists in suggesting to Ontarians that everything's under control and then, when it gets caught with its hand in the cookie jar up to the shoulder, it starts identifying other people: "He shouldn't have let me do it." It's like the gambling addict. Read the *Globe and Mail*. You've been reading the *Globe and Mail*, their series about gambling addictions and gaming. It's about the gambling addict who one day wants to sign himself off from entry, but the next day shows up and wants to sign himself back in.

This can't be just lip service. You see, when a woman dies, she almost inevitably—not all the time—leaves children behind. When a woman dies in a dark and scary part of town, to the general public that in itself is frightening and offensive. But when she dies in the workplace, when she's beaten with the tongue, when she's beaten with degrading posters and pictures—and again, you can use your own imagination. When she's mocked, when she's treated as somebody inferior, that kills the soul as readily as any blow to the head with a baseball bat in a dark alley, doesn't it, Speaker? And it leaves that woman carrying some real baggage as she's on her way home. You know who has to help pick up the baggage when that happens to the family? The kids do—don't they?—little kids, four years old, five years old, six years old.

I'm pleased to have had the chance to address this bill, albeit briefly. I know we're all looking forward to the public hearings. Maybe one or two NDP members want to address the bill. Second reading is going to be over with reasonably soon and we expect—by God, we demand—thorough public hearings.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

1750

Mrs. Laura Albanese: I'm very pleased to join this debate. This new law, if passed, would require employers to put policies and procedures in place that would address workplace violence and harassment, report incidents or threats and provide assistance and training to all workers. This would be definitely a step in the right direction. I believe that our government and all members of this House take this issue very seriously. We might see it from different points of view, but I think that this is an issue that is close to the heart of each and every member that is in this House.

I believe that by forcing the employers to take this issue seriously, too, we implement policies and programs that will help prevent a lot of incidents and would also help with a quick response to incidents. All workers in Ontario should have the right to feel that they're working in a place that is safe and in a safe environment.

I hope that this bill, if passed, will really help to ensure safety in the workplace by providing an internal mechanism that will help to deal with harassment and violence. This piece of legislation, if passed, would also amend the Occupational Health and Safety Act with respect to workplace violence and harassment, recognizing that domestic violence may impact the workplace. I think that's very important for all Ontarians, especially women.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. John O'Toole: I just want to put on the record again that we're all supportive, I believe. I would only speak certainly for our leader, Tim Hudak, and others. Listening to the member from Welland, we're in support of making workplaces safer. I don't think that's the issue here.

It's how they're going about this that raises questions, and I think that needs a fuller debate and disclosure. When I was doing work on the Lori Dupont Act, it was really providing all the tools, both in the workplace and outside the workplace, for persons who felt threatened to take action and get a restraining order—seven days a week, 24 hours a day. I'm not sure what was wrong with that bill. The bill was supported here. The bill, in fact, replicated a bill which was already in force, which was cancelled by Bill 133.

Mr. Peter Kormos: It was a good bill.

Mr. John O'Toole: It was a very good bill. In fact, I'm not sure why they are going to the extent they are going to here.

If you look at it, this creates some tension here. "The bill amends section 43 of the act, which deals with a worker's right to refuse work in various circumstances where health or safety is in danger, to include the right to refuse work if workplace violence is likely to endanger the worker." There's a whole set of regulatory frameworks here where the employer has responsibilities to set up this framework, which they do. You have the right to refuse work today. This is adding sexual harassment or harassment and threat of violence, domestic violence. I think that there are other tools that have been brought to the government's attention and to the Attorney General or other ministries. Why they haven't acted is beyond me.

We support the thrust or the intention of this bill quite sincerely, but we're very suspicious of why this is being dealt with this way. We have the right to refuse work if we feel endangered today. What this is doing is setting this aside when it could be handled in a completely different way.

The Acting Speaker (Ms. Cheri DiNovo): Questions and comments?

Mr. Paul Miller: First, I'd like to thank the member from Welland. Once again, Mr. Kormos has shown his expertise in the field of law, in which he was a very successful and well-known criminal defence lawyer in his earlier years.

I would like to reiterate again that Bill 29, brought forth by our leader, Andrea Horwath, was far more progressive, far more inclusive and a big legislative step that was overlooked and ignored.

But more than physical injury, bullying and physical harm, the definition of violence fails to take into account a range of bullying behaviours that teachers face on the job which exposes teachers to not only physical injury but also significant psychological and emotional harm. "Bullying and psychological harassment may not involve physical force or threats of harm, but the consequences of such behaviours, when left unchecked, can be devastating." That was on page 3 and lacked any muscle, so to speak, in the bill.

There are many parts of this bill that need attention. We in the NDP fully support any type of legislation that comes forward that would protect people in the workplace, as well as women, from any harm or intimidation. We will continue to fight in that manner, but we think that this bill falls short in many areas that we will bring forth once again in committee after we hear submissions, and hopefully the five members and the two Conservatives and NDP can jointly put submissions in that will be beneficial to this bill. I hope they listen to us.

The Acting Speaker (Ms. Cheri DiNovo): Thank you. Questions and comments?

Mrs. Maria Van Bommel: I am absolutely pleased to be able to stand and speak in support of the amendments that are being proposed for the Occupational Health and Safety Act.

I think most of us are aware, as the member from Welland had commented as well, of the Lori Dupont situation at the Hôtel-Dieu in Windsor, and Theresa Vince, who worked in Chatham, both of whom met their deaths in the workplace.

These are the things that make headlines, but every day there are others who fear for their lives, for their safety who don't get into the headlines. Those kinds of situations require of us to make sure that employers have policies in place that would make sure there is safety for those women. We, unfortunately, know that domestic violence follows women into their workplace.

There are women who are harassed by their partners on a regular basis, and everyone wants to pretend it's not happening. No one wants to be involved. Everyone wants

to just say, "You know, that's a personal household issue and there shouldn't be any involvement from the employer."

What we're doing with these amendments is requiring that policies be put in place so that there is safety for women when they go to work, that they have some recourse in terms of finding a way to have safety in their workplace from things that come from outside—not just from inside the workplace but from outside the workplace as well—that come into that workplace and endanger them, that threaten them.

So when we talk about situations, and certainly our sympathies go to the Dupont and Vince families, there is far more in being effective—

The Acting Speaker (Ms. Cheri DiNovo): Thank you. The member from Welland has up to two minutes to respond.

Mr. Peter Kormos: I want to thank all the people who joined this afternoon in response to my statement. I want to especially speak to the member for Lambton-Kent-Middlesex, Ms. Van Bommel, because she always brings to this floor a sincerity and a passion that are enviable. She displayed some of that concern for women today in a most effective way. I'm just so pleased that we're here at the same time in the same place this afternoon.

All I say is, look, enough damn torchlight parades and naming a day after this or that victim. We've got to get serious. We've got to put on the hazmat materials, the rubber gloves, the boots and the helmet and get out there and start addressing these things. There's just far too much thumb twiddling. I listen to some folks, even myself from time to time, as if we're smoking a pipe, in a cardigan with leather elbows. This is real stuff out there.

I live reasonably close to the Women's Place in my own community, and I used to act for a lot of women back when I was a lawyer and a lot of women were victims. The bruised and bloody face alone is enough to catch your attention, and you realize that we can't sit idly by and we can't contemplate and contemplate until more women have died, until more women have been beaten, until more kids have been scarred. I'll repeat once again that in my view the real victims in the family are the kids, and if we don't care about our kids, we've got a real problem here in this province.

Second reading debate deemed adjourned.

The Acting Speaker (Ms. Cheri DiNovo): It being 6 o'clock, I declare that this House stands adjourned until tomorrow morning at 9.

The House adjourned at 1800.

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Gravelle, Hon. / L'hon. Michael (LIB)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development, Mines and Forestry / Ministre du Développement du Nord, des Mines et des Forêts
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Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
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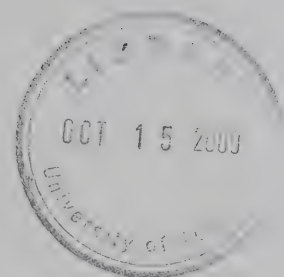
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Tuesday 6 October 2009

Journal des débats (Hansard)

Mardi 6 octobre 2009



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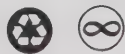
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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 6 October 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 6 octobre 2009

The House met at 0900.

The Speaker (Hon. Steve Peters): Good morning. Please remain standing for the Lord's Prayer, followed by the aboriginal prayer.

Prayers.

ORDERS OF THE DAY

PUBLIC SECTOR EXPENSES REVIEW ACT, 2009

LOI DE 2009 SUR L'EXAMEN DES DÉPENSES DANS LE SECTEUR PUBLIC

Mr. Takhar moved third reading of the following bill:

Bill 201, An Act to provide for review of expenses in the public sector / Projet de loi 201, Loi prévoyant l'examen des dépenses dans le secteur public.

The Speaker (Hon. Steve Peters): Further debate? Minister of Government Services.

Hon. Harinder S. Takhar: The Public Sector Expenses Review Act, 2009, which our government would like to enshrine in law as soon as possible, if the bill is passed in the Legislature, would empower the Integrity Commissioner of the Legislature to review the expense claims of senior officials at 22 of Ontario's largest public agencies, boards and commissions.

The new legislation, which builds upon the record of transparency of this government, would require senior officials in these 22 public agencies to abide by the same level of accountability that cabinet ministers and political staff currently must follow under the Cabinet Ministers' and Opposition Leaders' Expenses Review and Accountability Act. If the Integrity Commissioner determines that all or part of an expense is not proper, senior officials in these 22 agencies would be required to pay back that improper expense. In special cases, the Integrity Commissioner could also recommend other remedial actions if she determines that it is warranted.

This government has moved on Bill 201 quickly, and it would apply to expenses that were incurred on or after September 1 of this year. Because this government believes in transparency and has taken many steps in law to improve the public's ability to look into the workings of government in Ontario, an annual report would be prepared by the Integrity Commissioner as part of the new legislation. That report would be made public.

This government has taken steps earlier to make the workings of government in this province more open and

understandable to the public. In 2007, this government moved to require that all Ontario governments report on the province's finances before elections are held. So everybody—all the parties or anybody who is in the government—is expected to make the finances public before the elections are held. From 2004 to 2006, Ontario's freedom-of-information laws were amended to include a requirement that Hydro One, Ontario Power Generation and the province's public universities and public utilities are subject to FOI requests. This government passed the Audit Statute Law Amendment Act in 2004, which broadens the powers of the Auditor General to review public sector organizations. The Auditor General has a very important role to play as an auditor of government actions and policies, and his report strongly influences what measures the government takes to improve its functions.

The government is well aware that Ontario is facing many new economic challenges these days and that every tax dollar counts and should be spent and used wisely. I would like to point out that my background is in finance and that I had the privilege to work with large private and public corporations as chief financial officer and a senior executive. Based on my experience, I can tell you that it's a good business practice that anytime you find there's room to improve internal controls, you take action and improve the internal controls and their effectiveness.

We are proposing wide-ranging improvements in employee education about expenses and accountability with Bill 201. This government has always required its public servants, whether they are elected, hired or appointed, to act responsibly with the public money that is entrusted to them. New requirements will clarify the rules and help all public servants to better adhere to the rules. Expenses for senior management in the Ontario public service, cabinet ministers, political staff and senior executives at Ontario's 22 largest agencies will be posted on a website. Ontarians will be able to draw their own conclusions about these expenses.

Also, the number of random audits of expense claims that are currently conducted will be increased. The external and internal auditors who examine the books of Ontario's agencies, boards and commissions will be required to also determine whether or not good controls are in place at these agencies, boards and commissions. In addition, to further education in this important area, the government will develop online training for all Ontario public service employees and staff at the 22 agencies to show them how to file expense claims properly. This training will be mandatory.

The Integrity Commissioner has graciously and enthusiastically taken up the new duties that are explained in Bill 201. I had the chance to meet with the Integrity Commissioner, and I can tell you that she feels that she is fully equipped—might need a few more resources but is very willing and able to take on these duties. The Integrity Commissioner would review and approve expenses for senior executives at each of the government's 22 identified largest agencies. As I said, this may increase the workload of the Integrity Commissioner, but she has indicated that her office is up to the task. The Integrity Commissioner's office has been reviewing the expenses of cabinet ministers, opposition leaders and political staff since 2001, so they are well versed. They know how to deal with these expenses.

I would like to take a moment to point out that the majority of Ontarians who are employed in the public service act responsibly with regard to their own work-related expenses, and the Ontario public service is highly regarded and has won awards for excellence. But there's always room for improvement, and this act is actually a step in that direction.

The steps outlined in Bill 201 will help the agencies that act for the Ontario government to improve their control over expenses and increase the transparency of their operations.

0910

The steps the government is taking are designed to uncover any inappropriate expenses so that Ontarians will know who exactly is spending and what exactly they are spending on. The steps that we are taking will make it easier for anyone to know what the rules are for claiming expenses. It will also be harder for anyone to break these rules. Each person who works for the taxpayers of Ontario must take responsibility for knowing the rules and also must take responsibility for following the rules. This government will continue to take responsibility for improving and enforcing its rules and regulations. But we will also strive to increase our enforcement of internal controls as well. These are proven methods employed by large business organizations to improve their internal controls and their effectiveness.

I am very excited about this bill, and I encourage everyone on all sides to move ahead quickly with this bill so that we can enforce the rules and regulations.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. John O'Toole: Just picking up on the last words that the minister in charge of this bill says—let's move along quickly—I'm wondering what the rush is? Is this some sort of deal where they're trying to sweep this out of the headlines? That's clearly what's happened here, because first they time-allocated this legislation. Why? What does that mean to the people of Ontario? Time allocation is really an anti-democratic move where they cease and halt and suppress debate on a bill that's really supposed to bring openness and accountability to the scandal. It's the summer of the scandal. It was all about the egregious spending of public money. We've heard

every day for the last two weeks of hundreds of millions of dollars literally being spent on the signature of the Premier of the province, without any oversight to any extent—\$30 million dollars to IBM yesterday seems to have been the question—and we're looking forward to the auditor's report.

That's what this is about. It's about the transparency that the McGuinty government promised during the election—accountable, transparent, open, blah, blah, and all that stuff. It's everything but that. What they're doing here is moving anyone who's spending money on wine and booze and high-priced consultants—they're going to sweep that over to the Integrity Commissioner's office, and the poor Integrity Commissioner has six people. It's going to be reviewing the expense accounts of all of these senior executives. And I read this morning that the Deputy Minister of Health is \$500,000 dollars, and you can't find his salary in the public salary disclosure thing until you find it in a labyrinth of caves and turns and twists into Hamilton Health Sciences. The reason it's there is because he has a better pension—it's just scandalous, Madam Speaker. I'm sure you feel as passionate as I do about it.

I'm even more concerned. A very good friend of mine, the member from Thornhill—last Thursday, when Bill 201 was forced into committee to rapidly make a couple of amendments, we in sincerity tried to support it. We submitted several amendments. Between our caucus and our leader, Mr. Hudak, we reviewed this bill with the intent of trying to improve it in the long run, outside of this treachery and rushing it into committee and then rushing it back here this morning. And as he said in his last remarks, the minister, the person who is responsible for this—well, he's not really responsible. Really, in fairness to him, the Premier is responsible. The buck stops with the Premier if there are misdoings here—and the article in the paper this morning let the Premier off again. What's going on here in this province? Nobody is holding anyone accountable anymore.

You know, it's tragic. Look at this. There are a couple articles this morning that would just blow you away, and this one here says, "McGuinty Maintains Teflon Image." That's exactly what the people of Ontario should be afraid of. Hold him accountable. It's not the politics; it's the accountability. This is public money. There is a recession on. There are 330,000 families who don't have a paycheque coming into their homes. They're going to raise the taxes on the HST. Start paying attention or you're going to get the government you deserve.

This bill is only one part of that treachery of moving all of this accountability into third party oversight. The Integrity Commissioner has about six employees to audit all these financial misdoings. I don't really know where to start. We moved a number of amendments, well intended, on Bill 201. What did they do? This was strictly a charade. They voted every single one of them down. What are they? I'm going to put a few of them on the record so we see that we weren't playing games. We were trying to make this bill at least palatable and better.

The member from Thornhill, on behalf of our leader, Tim Hudak, moved them. One of the amendments here was to list within the body of the legislation the agencies, 22 of them—in fact, 22 that the Premier himself had said he was going to specifically focus on. They wouldn't accept it. They voted down those amendments.

Why wouldn't they have at least acquiesced and given us one piece of ownership in that bill? No, they slammed the door on every single amendment. I think it was purely arrogance, because they were well-intended amendments. There was nothing spiteful or malicious at all about them.

The following one is another one. An Act to provide for review of expenses in the public sector—we're for accountability in the public sector. Each one of us is here at the will of the people of Ontario, regardless of the party. The opposition has the right to be heard. We are being shut out. In the media we're being shut out, in fairness.

This one here, this is the part about if they've been caught with their hand in the cookie jar; it could be the wine jar or the alcohol jar—mispending. Here's what it says:

"If the amount is not repaid or remedial action that the commissioner considers appropriate not taken on or before the specified date, the commissioner,

"(a) shall advise the minister responsible for the public entity in question and the Premier of Ontario"—what's wrong with that? Just let the Premier in on it; as if he didn't know anyway.

"(c) may advise such persons as the commissioner considers appropriate in the circumstances."

It was just to bring openness and disclosure, and that was voted down.

There's just no forgiveness on our side on this bill, and we will be seriously voting against it. They brought it in, they sloughed it off to a junior minister when it's a top priority; then they time-allocated it, rushed it through committee and voted down every possible amendment. Now, this morning, almost before most people are up, this bill is going to be history.

Are the people of Ontario paying attention? You're being hoodwinked. This isn't about politics; this is about accountability. It simply isn't here.

Even this morning they're trying to get this done, I think—if I may, tomorrow, we're anticipating the Auditor General's report. Some of it's been leaked. How can it be leaked? I trust the Auditor General. I think the Premier has this thing, and I think he has it under wraps. They're going to get this thing through today, jam it through, slam it down. Then the auditor's report will be released tomorrow, and they'll see even more red ink rolling down the staircases here at Queen's Park.

Mr. Peter Shurman: Yes, and the bill only starts in September.

Mr. John O'Toole: Exactly. Again, there's another amendment there. We tried to make this openness and transparency accountable for the whole fiscal year, because we know now that Sarah Kramer and others—Ms. McDougald from the Ontario Lottery and Gaming Corp.—got charged, and some of them were fired for

oversight. Maybe they didn't spend the money on alcohol and various things like that, public money on alcohol and mispending on high-priced consultants who did nothing. They were friends of friends of friends, mostly friends, by the way, of the current government. It's just in the papers. I'm not making this up.

But it's almost like, what's his name? Brown's books. What's the name of that book? There's a new one out now.

Mr. Peter Shurman: Dan Brown.

Mr. John O'Toole: Dan Brown's books, you have to follow them, this treacherous little—Hansel and Gretel following the beads in the forest.

Mr. Peter Shurman: Angels and Demons.

Mr. John O'Toole: Angels and Demons, whatever.

My point is this: Let's not trivialize this for a moment. All I'm saying is it's like solving a mystery. Why are we trying to solve a mystery? Those persons should be called right here into the Legislature, but we can't call them. We can call the Premier.

All of the answers are "We can't deal with it; it's before the courts. We can't do this. We can't do that." What can you do? The province is sliding down the hill like a toboggan in a snowstorm, as fast as a car can travel, downhill. The economy is going south. Of course, the people, the families, the individuals, the young people of this province are going to be paying for this debt that's being accumulated. It's \$200 billion, I think—isn't it?—the provincial debt, the accumulated debt and the interest on that. The pages here today should be paying attention. That debt—do you know what that is? That's future taxes on you.

0920

You have to ask yourself, "Are the senior citizens being well taken care of in this province?" No. Long-term care—serious problems in my riding. They're changing the case mix index in long-term care so that they are cutting out nurses. They're cutting out front-line personal support workers to vulnerable families. I have hundreds of e-mails and letters in my office from my riding in Durham. Our hospitals don't have enough money. We're short about \$10 million in our hospital, and they passed Bill 8 years ago, which forces hospitals to balance the budget. How do they balance the budget? They lay off nurses.

They can look back to six and seven years ago. That's fine. Do it. They're spending \$2.1 million an hour more than they're taking in as revenue, and that's debt against the young people in this province. That's future taxes. I'm telling you that this thing is out of control.

I remember back in 1994, when I was chair of budget in the municipality of Clarington in Durham region, I met with Floyd Laughren and Ed Philip. They had a program that was called the expenditure reduction plan. That was to encourage municipalities to reduce their spending by 10% to 15%, which meant they should—for municipalities, all government services, their budget is payroll. Basically, 85% of their budget is payroll. That means they had to lay people off. Well, no municipality would

agree with it. AMO, the Association of Municipalities of Ontario, disagreed with it. Eventually, AMO got together and had a meeting with Ed Philip, the Minister of Municipal Affairs, and Floyd Laughren. At that time, it was Bob Rae. He's a Liberal now—he's going downhill, too. But the only thing there is that they disagreed.

So what happened? The government brought in the social contract. Some of you may have heard about that. When they brought in the social contract, what they really did is they opened up every public sector contract and took out 10 days' pay. Bingo. They just took it right out—10 days' pay. Say, \$200—that's \$2,000, roughly, from each person, or more. That's how they balanced their budget. But it was called the social contract, and it cost them the government.

I put to you today, if you're keeping an eye on this, if the economy does not recover, and I hope it does—and certainly what they're doing with the harmonized tax is they're increasing taxes. The health tax, WSIB is going up, employment insurance, payroll taxes are going up and red tape is going up. They're crippling the economy, and they're going to find out now—they started out with a \$6-billion deficit, and now I understand it's \$18 billion. By the time they get done—as I said, they're spending \$2 million an hour more than they're taking in in revenue. On what I don't know—on lunches for all these people in this bill. Yet hospitals are short of money. Schools are having problems—not just the pools in Toronto, but just regular schools in rural Ontario. School bus operators are having problems getting the kids to school safely. Long-term care is having a problem. These are the early signs of a catastrophe that's going to occur. We've got to remember to point directly at the one person you can get to: Premier McGuinty. Your time is coming to an end.

Let's decide. It's actually two years from today when the next provincial election is—two years from today, October 6, 2011. The people of Ontario—this is not threatening. You should hold every single member—your member in your riding—accountable. Phone them and ask whatever questions you have, and they owe you at least an explanation. We try that every day here to hold the cabinet accountable. They all hide behind the Premier, and where is he? He's not to be heard from. They don't answer the questions, and I am just shocked. Then, if I want to get down into the reality here, the real nuts and bolts of Bill 201—I want to just look at a couple of expenditures here.

First, and the most egregious one, was—this speech, by the way, my staff and myself prepared it, okay? It cost something, of course—the time. I'm passionate. I'm just trying to be straightforward and honest. I'm speaking mainly to the Speaker and to the pages here.

One of these organizations under the McGuinty government spent \$25,000 for a speech. I've never seen it or heard it. In fact, that person was fired. They didn't get what they paid for; \$25,000, that's unbelievable.

Mr. Paul Miller: That's a good speech.

Mr. John O'Toole: That is a high-priced speech, but that doesn't make it good. That's like buying a pair of

shoes that are too big for you. They may look good, but they don't fit you. That's the same with the speech.

It was a failed concept. The government was trying to hoodwink—this speech, I understand, was delivered to kind of legitimize her role. Where did she come from? Was she a doctor? Did she have a PhD? We have doctors here who aren't even practising medicine. There are capable people here; I'm not disparaging people. But I'm saying she's not a doctor. As far as I'm concerned, she worked for Cancer Care Ontario. The person who hired her was the head of Cancer Care Ontario, Dr. Hudson, and quite honestly, a highly regarded individual at that time. I think he just got on a bit of a breakaway. He thought Sarah Kramer worked for him, and he put her in charge of eHealth. The next thing you know, he had to legitimize her presence, so they wrote this spectacular speech, hand-picked every single word and crafted it in such a way that she would appear to be quite legitimate in this role as the head honcho making \$400,000 a year. Imagine that, \$400,000 a year.

Paying people the appropriate amount of money is not—I want the appropriate person and I want the appropriate deliverables. What are the deliverables? It's like if you pay Mats Sundin \$10 million a year, I want a goal in every hockey game. What did Sarah Kramer do? She spent a lot of money, and we got nothing for it. In fact, a Toronto Star article, I think, summed it up. What was that article? It was outlandish. It said \$1 billion for nothing. The Toronto Star is basically the briefing notes for the Liberal Party. Here it is here: "eHealth Operation Bled \$1 Billion." That's what we got. I'm reading the title from the Toronto Star, which is quite friendly to the Liberal Party, no question about that. "Auditor's report slams Ontario's bungled push for e-records and cash it threw at the problem." That's not me saying it.

I'm telling the people of Ontario, get with it. Start paying attention. Two years from today, if you repeat the errors of the past, you're bound to live with them for the future. You're learning here, not from me. Stay tuned. Pay attention. Watch question period. See what the answers—Mr. Caplan, I'm sure his mother, who used to be the Minister of Health, is ashamed of him. He should resign. Imagine. That's tragic. I'm sure she is home watching today.

Look, I remember meeting Minister Caplan one time when she was the Minister of Health, and she came out to Oshawa. I think she cut the ribbon for the expansion of the hospital in Oshawa when she was the minister. She went on to become a federal minister as well—two pensions.

My point is this: that they never built the hospital either. The hospital never got built. That was under the Peterson government. Bob Rae came in, made the same announcement, and it was Frances Lankin who was there cutting the ribbon. They never built it. I was there with Tony Clement.

I'm saying this thing about accountability and transparency, not to become individual—but I believe the buck has to stop. I think the Premier, if he really wanted

to solve this and have a cleansing—let's put it that way—either one of two people have to go. George could be let go easily because he's going to run for mayor—Smitherman. A clever guy, he's the most clever politician in this House; there's no question about that. But a politician needs to have integrity, and that's what is missing in this equation I'm talking about. The other one—who hasn't got near the ability of Smitherman, by the way—is Caplan. Caplan should go. He could be sacrificed, thrown under the bus.

Now, I don't mean to be malicious, but honestly, I think Bill 201 is being rammed through. What it's all about is integrity and accountability, and there's anything but integrity and accountability.

All of our amendments that attempted to improve this bill were voted down. I'm putting it on the record here today: This doesn't address the issue. The issue is systemic. We need to have some actions taken by the Premier, and this just doesn't cut it. Real integrity begins with the leader. He sets the pace and sets the examples. The article this morning said it all: He's Teflon.

0930

If Ontario has come to this low point under this leadership, the hope and the future are in question. Really, this bill is all about that. It's sweeping it under the carpet to the Integrity Commissioner with eight employees to audit when cabinet responsibility is what is required here. Ministerial responsibility, that's the tradition of this place, not trying to move it off to some out-of-camera-range audit oversight.

We cannot support this bill, we will not support this bill, and we should not support this bill because real accountability belongs to the Premier of this province, and he's not up to the job as far as this particular issue goes. I say to the minister, if you did the right thing yourself, you'd set the example and step aside in honour of your own integrity.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Paul Miller: I would like to start off by saying that my frustration begins at committee level. I remember when I first came to this House, the Premier stood up and said, "I welcome all members of this House, the opposition, the third party. We're going to work together to better Ontario and better the lives of Ontarians." Frankly, that's not true. Every suggestion, every amendment—at least in the committees I've sat on—in two years, every one from the third party and the official opposition was turned down. They steamrolled ahead like robots with their plan, their agenda.

The member from Thornhill and I sat in a committee the other day, and we brought forth really useful, constructive amendments to this bill. They were not only not dealt with, I doubt if they were even read. It's absolutely disgraceful.

Another member said, "Well, get used to it. That's the way it is." You know what? If that's the way it is, I don't want to be that way. I'd like to work together and actually accept other people's ideas. I can safely say I

walk the talk. You know what it is? I have voted, since I've been here, for 22 bills that the Liberals have brought forward. They haven't done one for us—not one—probably a couple of amendments for cigarillos or something, some insignificant little matter. It's absolutely disgraceful.

We don't work together in here. Don't let the Premier kid you out there in the public. If it isn't their idea, they don't run with it. And if it is a good idea, it'll appear about a year and a half later in one of their bills, which they've taken from us. Instead of dealing with it at the time, it'll appear a year and a half later and it will be softened. It won't be in its original form, but, "Gee, that looks familiar. Where did that come from? I think we might have thought of that." I don't care who thinks of it, as long as it gets brought forward and gets done, and that's not the case in here. That's why this government, in my humble opinion, is dysfunctional.

The bill gives the Integrity Commissioner the responsibility to review expense claims at government agencies designated by the cabinet. Designated by the cabinet, that could be kind of a conflict, that kind of control. Why only the cabinet? There are 182 agencies in this province that should be under scrutiny, accountable to the people and taxpayers of this province—182, and they've picked 22 of them.

You pick 22; that sure doesn't red flag the other 160. Why couldn't they have rotating investigations? I'm not saying that the resources are there, the people and the investigators are there, to do all 182 every year or two years, but you certainly could pick them. They could be random, and the agency wouldn't know who they're going to pick ahead of time so they can prepare. You catch them with what's going on. If they're doing the right thing, there's no problem. If there are accountability problems, you're going to nail them, and they should be exposed. The people of this province and their tax dollars deserve that treatment, not to have to dig it up or wait until they get caught with their whole arm in the cookie jar, not just their hands.

I'll take one, just one agency: the WSIB. I've sat here for two years and asked for Mahoney's resignation at least five, six times in this House for the unbelievable things that have gone on. Here's a guy working part-time, making \$140,000 a year; \$1,000 suits, eating in a steakhouse in Ottawa, 35 Liberal buddies. What's he done since I've been here? Nothing. Nothing. How about experience rating? How about deeming? How about all the things that are important to injured workers? Nothing.

They stand out here on University Avenue every year, the minister and all the injured workers in front of him, a couple hundred of them, looking for some kind of help, something—you know, dribbles. And they promise and say, "Oh, we're going to look into it. We're going to fix it." Well, they've been going there for 25 years. Every year, they're back with even the same requests that are just scarcely dealt with, to put it mildly.

When you look at the WSIB and some of the people—here's another example. Over the spring and summer, we

heard about the gross abuse of public money by the expensing of items such as tea at Tim Hortons, \$1.65, by a consultant who's being paid thousands of dollars a day; \$3.99 for Choco Bites; a \$30 car wash; child care expenses—he doesn't have enough money to pay for his own daycare; he's got to have us do it; a speech that cost, as they mentioned earlier, \$25,000. I think Bill Clinton might get that, \$25,000 or \$50,000 for a speech.

The worst part about this, the alarming fact is that these consultants were being paid \$3,000 a day. Do you know how many families could live in affordable housing for that money, how many children would go to school with breakfast in their tummies for that kind of money? Do you know how many grandparents raising their grandchildren would be able to provide the education, recreation and medical programs that those children desperately need for that amount of money? It's absolutely ridiculous. At the rate of \$3,000 per day, it would take 20 days to reach the average annual household income in Ontario. In 20 days, that guy made as much as—in fact, if you look at my riding, he probably made as much in 20 days as some of the people get in a whole year, because 20% of the people in my riding live below the poverty level. This guy made it in 20 days. What's going on? It's obscene. It's absolutely obscene what's going on.

Why don't they bring the work in-house? With that kind of money, you could probably hire a few full-time workers to govern these types of agencies and govern this. We've got a lot of bureaucrats now, but I sure as heck wouldn't want to pay one guy \$3,000 a day.

You know what, the funny part about it? Nothing really changed. eHealth was a scam, the OLG is a scam, the WSIB is in confusion—and these guys are getting \$3,000 a day? They should be shipped out. They're absolutely useless. This should have been corrected within months. Two years later, and they still don't have a system in Ontario for e-health scanning? Two years, and that woman got fired? So she should be fired, and there should be a lot more behind her.

I'll give you another example of the outrageous. How do you explain this outrageous spending to average Ontarians? A vice-president at OLG spent \$3,713.77 on one meal. Well, that's about four months' rent for an average family in Ontario. Another OLG executive was reimbursed for the \$1,000 he put towards renting a Florida condominium. He must have been stressed out. He needed a rest. Some people are lucky if they can put enough toys in front of their Christmas tree or food at Christmastime. This guy is stressed out; he needed a rest down in Florida in his condo—paid for by the taxpayers, or at least the rent put forward.

0940

How about grandparents raising grandkids? This government gives them \$251 for the first child and \$188 a month for grandparents raising grandkids—\$400 a month, \$600 a month.

Here's another one: Three executives charged \$250 for the gym fees to the crown corporation. You've got to

stay in shape when you're milking the system; you've got to be sharp; you've got to be in top fitness. That \$250 would pay for the recreation program for at-risk children. It's more than the full monthly income for grandchildren raised by their grandparents. That's more than they give to the grandparents raising their grandkids.

Valet parking: \$30. Wow, get a grip; \$30 to park my car and I'm making \$3,000 a day. I can park my own car. I can wash my own car.

Here's a classic: luggage replacement—\$615. The Ontario government is now acting as an insurance company for employees who lose their personal property. That's special; very special.

This just goes on and on. How about an account manager who claims \$7.70 for a pen refill and \$1.12 for a cloth grocery bag? This is obscene beyond words. These people are making six figures or more and he charges \$1.12 for a cloth bag for groceries. Wow. At least he's being environmental; it wasn't plastic.

At eHealth, a well-paid consultant charged \$5.64 for a cup of coffee and a chocolate chip cookie—you got to have a cookie with that—and charged the taxpayers. How do they have the nerve to make \$3,000 a day and then charge the taxpayers for a cookie and a coffee? I can't believe these people. They should have had milk, because they're milking the system, they're milking the taxpayers and they're certainly making a sham of this place with this kind of behaviour.

Here we go with the \$5 million of untendered contracts—conflicts of interest, anger over high-priced—and all the people involved in these situations are connected somehow. A consultant agency used to work with this person five years ago and all of a sudden they appear and are making six figures. A lot of them are Liberals; I don't know if all of them are, but a good chunk of them. They're all related: second cousins, uncle, nephew; it's amazing how this works.

Mr. Gerry Martiniuk: It's like Tennessee.

Mr. Paul Miller: Yeah.

What about this predecessor: Smart Systems? Another boondoggle that has cost Ontarians hundreds of thousands of their hard-earned tax dollars. Inside friends of McGuinty Liberals must salivate when they get a call for an ABC appointment. They know that they won't have to open their chequebook for a long time and can live off the taxpayers of this province. Before there was eHealth there was the Smart Systems for Health Agency. It went to work in 2003 with a goal of making a "secure, integrated, province-wide information infrastructure" to allow electronic communication among health care providers. But three years into operations, Smart Systems had little to show—three years, and little to show. With any private company, you'd be fired in the first six months if you didn't show progress. Why aren't there any progress reports? Why aren't there people monitoring the situation to see what kind of results the taxpayers are getting for their money? That's absolutely ridiculous.

Privacy policies are "incomplete and not widely understood." This is an organization that is tasked with

ensuring the privacy of each and every person in Ontario is protected. That's a bit of a joke.

Now this government has decided, "We're going to put the hammer down on 22 agencies that we've hand-picked." And they'll all be—I'm sure—told beforehand that the hammer is coming down before the investigations starts. It will slip out; I don't know how that happens, but it does. They'll be well-prepared. Then they want to use their own financial people in each agency to deal with the Integrity Commissioner. That's like asking a fox to guard their henhouse. So if we made mistakes we can cover it up before we go see the Integrity Commissioner—straighten it all out. Why isn't there an independent body, an auditor, investigating it? Why are they told ahead of time? They should be told two weeks before, "Get your papers in here. We want to look at them. We want to look at the documents. We want to see where the agency is. We want to see what's going on. We want to see your consultants and how much you pay, where the money goes and what they're spending it on." Don't alert them; don't warn them before. It should cover 182 agencies, not 22 hand-picked ones, because it's very easy to make things disappear in big organizations, easier than it is in the smaller ones, as well.

Accountability: That's quite a word. The only way this will work is if every agency under this government is under the umbrella, that they know that at any given time their call could come: "You be in here next week with your papers for last year. We want to look at it." But, no, they'll just pick certain ones that they feel will be able to deal with this, because they have enough bureaucrats to handle the paperwork.

They're saying that it won't add to the Integrity Commissioner's workload? It's going to quadruple—but it should. If necessary, the Integrity Commissioner should hire people. If she hires more people, they're going to save us and the taxpayers millions and millions of dollars a year that will more than pay for the four or five people she has to hire to cover all these other new agencies that weren't covered before.

In late 2008, the Dalton McGuinty Liberals decided to scrap Smart Systems and start over this new agency. What did this disaster cost us? Will this legislation come even close to providing the answers to those costs? What kinds of nudge, nudge, wink, wink handshake payouts did those government appointees walk away with? Plenty. We probably could have hired five people full-time for some of these payouts.

Days after the creation of eHealth on September 29, 2008, Mr. McGuinty placed one of his key healthcare problem solvers, Dr. Alan Hudson, in one of the lead eHealth roles. When Dr. Hudson resigned less than a year later, he was publicly quoted as saying that he wished the agency had moved at a slower pace—slower pace—in its attempt to finish an enormous task. Slower pace. So would that have been that they were overlooking stuff, they weren't doing their job, or did he want to stretch it out so he could be there longer? I don't know. He suggested that they look at the diabetes registry, eHealth

portal and issuing prescriptions electronically. Well, we've heard that, and that hasn't been too successful. Somebody was after it for two years and didn't get it done.

And Sarah Kramer: She got let go, and she got a \$114,000 bonus for being a screw-up. That's great. Her salary was \$380,000 a year and she got \$114,000 going out the door. "Thank you for screwing up. Here's a little bonus on the way out the door. Have a nice trip to Europe." Ten months later—was it? Kramer was shown the door on June 7 amidst the battling of the scandal and she walked away with a severance package: Oh, here we go, extra severance, another \$317,000. That ought to buy her a nice house.

Mr. Bruce Crozier: Not in Toronto.

Mr. Paul Miller: Sweetheart deal. That would buy a mansion down by our way. Sweetheart deal; I'd say so.

Courtyard Group: You should put a microscope on that baby, because I'm sure there's going to be more and more coming out as the months go on. Mismanagement, nepotism, favouritism, appointments, special Liberals—absolutely disgusting.

I could go on and on, but the bottom line here is that the people of Ontario deserve better, and the millions and hundreds of millions of dollars that are being wasted day in and day out need to be scrutinized and accountable. The only way to do it is to include every agency. Every government ministry involved should be taken under the microscope to show the problems and the insufficiencies. I don't think this bill goes anywhere near where it should. I think it's just to placate and keep the public happy: Rush another bill through. Time-allocate it, run it through, and then hopefully they'll go away. "We did something," they'll say. You did nothing, absolutely nothing. It's another box with a ribbon on it and with nothing in it. They should be ashamed of themselves.

The Acting Speaker (Mrs. Julia Munro): Thank you. Further debate?

Hon. Harinder S. Takhar: I want to thank the member from Hamilton East—Stoney Creek for his comments. I will touch on those a little later on, but I want to say to him that at the very start of his discussion he said he wants to work together. So I will really encourage him to vote in favour of this bill. That will be a good start.

The other member, from Durham, said that we really didn't take into account some of the suggestions that were put forward by the PC caucus.

Mr. Peter Shurman: You didn't even listen.

Hon. Harinder S. Takhar: Yes. If you listened for a while, it might be a good change. This junior critic of mine from the PC Party made a suggestion that we didn't listen to him. Let me talk about some of the suggestions that they put forward and how ridiculous they are.

One of the suggestions they put forward was a motion to make 22 named agencies subject to the act. Naming public entities subject to the act in regulation is a common approach. Putting them into the act, which means if ever a name changes, then you will have to amend the act, doesn't really make any sense at all. This suggestion actually makes no sense.

Then, the second suggestion was a motion to require the government to make draft—

The Acting Speaker (Mrs. Julia Munro): Thank you. The time has expired.

Hon. Harinder S. Takhar: I actually had 12 minutes, Madam Speaker.

The Acting Speaker (Mrs. Julia Munro): I was just working with the clock here. Further debate?

Pursuant to the order of the House dated September 30, 2009, I am now required to put the question.

Mr. Takhar has moved third reading of Bill 201, An Act to provide for review of expenses in the public sector. Is it the pleasure of the House that the motion carry?

All those in favour?

All those against?

In my opinion, the ayes have it.

This vote is deferred until following question period this morning.

Third reading vote deferred.

The Acting Speaker (Mrs. Julia Munro): Orders of the day.

Hon. Monique M. Smith: I move for recess until question period.

The Acting Speaker (Mrs. Julia Munro): The House is recessed until 10:30.

The House recessed from 0952 to 1030.

INTRODUCTION OF VISITORS

Mr. Dave Levac: It's my pleasure to rise this morning to recognize the members of the delegation from the Council of Ontario Construction Associations, COCA, here in the Legislature as part of their first-ever Construction Day at Queen's Park. COCA is an advocacy body for Ontario's institutional, commercial, industrial and heavy civil construction industry.

With us in the east gallery is Dan Lancia, the chair of Holaco; Jim Coates, the past chair of Cobrelco; Dave Kueneman, the CLA committee chair; Robert LeChien, the executive director; Ron Johnson, a former member of this place, the deputy director and former riding member for Brant; Martha George, the executive director; Derek Smith, executive director; Harold Lindstrom, the executive director; Don Gosen, the second vice-president; Jim Lyons; Dominic Mattina; Ian Cunningham; David Zura-wel; and Sue Ramsay.

They're all part of the delegation to talk to us today about their needs. Welcome, and thank you for being here with us.

Hon. Harinder S. Takhar: I would like to take this opportunity to welcome His Holiness Swami Ramdevji Maharaj to the Legislature today. His Holiness has raised awareness worldwide about the importance of balanced and healthy living based on yoga and Ayurvedic principles. His program is watched all over the world.

I also would like to take the opportunity to introduce other guests as well: Mr. Rai Sahi, Mrs. Sudershan Sahi, Gagan Bhalla, Anil Bhasin, Bhagwan Gambhir, Sarwan

Poddar, Raj Pahuja, Sanjeev Sethi, Gary Singh and Mohinder Singh. Welcome to the Legislature.

Mrs. Laura Albanese: It is my pleasure to welcome to the House a group of grade 10 students from George Harvey Collegiate Institute in my riding of York South-Weston. They are here for a tour with their teachers, so welcome to Queen's Park.

Mr. Dave Levac: Thank you very much, Speaker. I appreciate this opportunity. From the riding of Brant, our page Elizabeth—Beth—is here with some guests: her mom, Susan Stulen; and the French exchange student that I referenced previously, Joseph, in the public gallery. We welcome them and welcome especially our French exchange student, Joseph.

The Speaker (Hon. Steve Peters): On behalf of the member from Guelph and page Kaitlin Wagner, we'd like to welcome her mother, Johanna Wagner, to Queen's Park today.

We have with us in the Speaker's gallery David Warner, former member from Scarborough—Ellesmere in the 30th, 31st, 33rd and 35th Parliaments, and the Speaker from the 35th Parliament, from 1990 to 1995—welcome back, Mr. Speaker—along with his daughter, Barbara Warner, and their guests visiting from Sydney, Australia: Tristan and Alexis Conn. Welcome to Queen's Park.

Seated as well in the Speaker's gallery, from my riding of Elgin—Middlesex—London, I'd like to welcome a former summer student in my constituency office, Kirk Perrin, and his friend Kyle MacDonald. Welcome to Queen's Park.

ANNUAL REPORT, ENVIRONMENTAL COMMISSIONER OF ONTARIO

The Speaker (Hon. Steve Peters): I beg to inform the House that today I've laid upon the table the 2008-09 annual report of the Environmental Commissioner of Ontario.

ORAL QUESTIONS

JOB CREATION

Mr. Tim Hudak: A question to the Deputy Premier: Ontario families are struggling to get ahead because they can't find good jobs. Premier McGuinty has not created any of the 146,000 jobs he said he would in budget 2009. In fact, 74,000 people have lost full-time jobs across Ontario since he made that promise. But this hasn't stopped the Premier from making new promises, this time of 50,000 so-called green jobs. To the minister: Can you guarantee that all 50,000 so-called green jobs will be permanent, full-time, private sector jobs?

Hon. George Smitherman: I want to thank my honourable friend for the question and I want to correct one thing he has said and then do my best to answer his

question. The 146,000-job figure that was in our government's budget was directly related to the investments that we're making in infrastructure. All across the landscape is evidence of some of the largest levels of investment in infrastructure ever seen in the history of the province of Ontario, providing necessary investment in communities and very helpful job opportunities for people alongside that.

With respect to green energy, I think there's ample evidence in communities all across the province of Ontario that green energy is coming to life and enhancing employment for individuals. I'll be happy, by way of supplementary, to talk more about where those jobs are occurring and likely to occur.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: That's far from an answer on where those jobs are going to be. Sadly, a pattern is developing when Dalton McGuinty will say just about anything. Their so-called plan for green jobs simply is incredible.

London Economics International, a global economics strategy firm that specializes in energy and infrastructure, took a look at your numbers. They say, "Claims of potential job gains in excess of 50,000 are unsubstantiated; for comparison, the entire motor vehicle ... industry employed 38,000 people in Ontario in 2008."

To the minister: Why is Premier McGuinty making even more job promises that he knows he will not keep?

Hon. George Smitherman: Firstly, I think it would have been far more appropriate for the honourable member to acknowledge that the company that he quotes is usually the paid contractor to the PC caucus; I don't know about in this case, but certainly in very recent history on the issue of green energy. I think it's important that you should acknowledge when you hire a consultant to write a report that you're using your caucus resources to do that.

Secondly, with respect to the kind of jobs that are created, I urge the honourable member to take a look at a company called WindTronics. They've recently established in Essex county as a manufacturer of what is referred to as a turbine in a box. It's going to be a very popular product. They're employing 172 people. They weren't employing these people a month or two ago. This is a very tangible example of the emerging green economy in the province of Ontario.

The Speaker (Hon. Steve Peters): Final supplementary?

Mr. Tim Hudak: Premier McGuinty is promising 50,000 theoretical, so-called green jobs, but theoretical jobs don't pay the bills. They don't put dinner on the table. Sadly, since Dalton McGuinty came to office, Ontario families have lost 330,000 real full-time jobs, and a third of those jobs were lost in the year prior to the global financial crisis hitting the province.

It's time the McGuinty Liberals stopped using the financial crisis as a crutch. Minister, why should unemployed workers in Ontario believe your rhetoric or your dismal record?

Hon. George Smitherman: I think that Ontarians looking in at this question period in its early moments

will want to know why it is that the Leader of the Opposition, with one full minute of opportunity, did not rebut in any way my suggestion that the report he was quoting earlier in question period was in fact a report commissioned and paid for by his caucus. It was a consulting firm. Why was he silent on that point? Why did he refuse to acknowledge that WindTronics is now employing 172 people in Essex county, which, until a few weeks ago, it was not?

A further example of the tangible opportunities related to green energy is to be found in the investments that we're making in additional transmission capacity in the province of Ontario that will employ many people in its development and will allow opportunities for more investment in green energy, creating even more opportunities in installation and manufacturing.

ELECTRONIC HEALTH INFORMATION

Mr. Tim Hudak: What is clear is that Ontario families may not be getting jobs but the Liberal family sure is. **1040**

Back to the minister: Freedom-of-information requests have revealed that on the same day, Liberal-connected Anzen Consulting submitted two separate bids for an eHealth contract. Anzen's bids were identical in every way except that one was for \$3.1 million and the other was for \$738,000.

Minister, why is it that even when contracts are put to tender, the process is fixed to benefit Liberal friends?

Hon. George Smitherman: I want to say to the honourable member, first and foremost, it was passing strange that he used the word "family" in the question. Why didn't he stand in his place when he was a member of the government and protest that Gord Haugh was offered a contract at more than \$300,000 a year to provide consulting services in the Ministry of Health? Why, when he witnessed people—

Mr. John Yakabuski: Answer the question.

Hon. James J. Bradley: That's the most intelligent thing he's said.

The Speaker (Hon. Steve Peters): I appreciate the armchair Speakers. Minister?

Hon. George Smitherman: Why, when we saw the high-ranking political staffers of that government being distributed to high-paying jobs in government agencies, was he silent? Where was his voice on those days, we wonder.

We look forward to the opportunities that the auditor's report will provide to do better moving forward. We have abandoned long-standing practices associated with sole-sourcing that had been in practice across governments here in the province of Ontario—

The Speaker (Hon. Steve Peters): Thank you. Supplementary.

Mr. Tim Hudak: I guess it's no surprise that a minister who is closely connected with Liberal-friendly Courtyard Group and Liberal-friendly Anzen group would not even try to answer my question. Without any

response from the minister, it certainly appears that Liberal-friendly Anzen got an inside tip. What happened? They lowered their bid and then the Liberal-friendly firm got the job. One would certainly expect that during an honest and competitive bidding process, a firm entering two simultaneous bids would be instantly disqualified.

To the minister: Why do you have special rules for Liberal friends and another set for everybody else?

Hon. George Smitherman: First I would say to the honourable member that it's interesting, isn't it, that for quite a while around here he has been talking about the issue of sole-sourcing of contracts. He never once acknowledged that it was the long-standing practice while their party was the government in the province of Ontario. Today, apparently, his complaint is that there were too many bidders. The honourable member is not offering consistency on this point. If he has specific questions and allegations to raise, those need to be examined.

At the heart of it, with respect to the work that the auditor has been doing, we look forward to tomorrow's presentation on that and we especially look forward to continuing to improve standards around this place. Sole-sourcing has been eliminated. That was the practice here across many decades. All parties in this Legislature who were the government used those practices. Those practices have been abandoned and if additional efforts are necessary, as the auditor may suggest, our government will undertake those with vigour.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Tim Hudak: I think the minister is missing the point. It doesn't matter how many bidders there were, the Liberal-friendly firm always gets the job under Dalton McGuinty. Premier McGuinty is also paying hand-picked senior bureaucrats eye-popping salaries through hospital budgets. Hugh MacLeod, the Premier's hand-picked climate adviser, earned over \$320,000, while Ron Sapsford, the health DM, earns half a million dollars.

Steve Mahoney's \$140,000 part-time job makes sense. By McGuinty Liberal standards, \$140,000 is a part-time job. Salaries that high don't happen without ministerial sign-off.

To the minister: Why are Liberal-friendly consultants and hand-picked officials doing so well while Ontario families get left behind?

Hon. George Smitherman: I see a couple of former Ministers of Health in that party's government clapping at the honourable member's question. Apparently they haven't taken the time to inform him that the practices associated with the compensation for some of the senior bureaucrats at the Ministry of Health and Long-Term Care predate us by more than a decade. Look at Jeff Lozon as an example, who was the deputy minister under the watch of this party, and take a look at the salary disclosure associated with that.

I think it's important as well to note that some people use the word—

Interjections.

The Speaker (Hon. Steve Peters): Minister?

Hon. George Smitherman: This has been a practice that the New Democratic Party used when Michael Decker was the Deputy Minister of Health and Long-Term Care. It's a practice that was in play under the watch of my predecessor Ministers of Health who are in the caucus today. It reflects the sophistication of the roles associated with giving leadership to a ministry that large, where the matters at hand are so important.

GOVERNMENT SPENDING

Ms. Andrea Horwath: My question is to the Acting Premier. Over the last several months, Ontarians have watched story after story that lays out the waste of scarce health care dollars in this province. Contracts worth millions were awarded without any bidding process at all, well-connected insiders were told how to place successful bids with a nudge-nudge and a wink-wink, and consultants billed \$3,000 a day while expensing everything from Choco Bites to nightcaps, yet the McGuinty government preaches spending restraint and belt-tightening.

My question is this: Does this minister honestly believe his government has any credibility left at all?

Hon. George Smitherman: I wonder where the honourable member thinks that her credibility comes from, when some of the practices that she stands to criticize today are practices that had been in place in this government no matter which political party was involved. Why don't we see some candour on the point and recognition that we have raised the bar and eliminated the potential for sole sourcing? Yet we hear no candour from opposition parties in the acknowledgment that these policies were long-standing, that these policies were in place and that these policies were utilized when they were the government in the province of Ontario.

On the issue of some of the expenses that the honourable member focused on, it is as if she does not know that we have moved forward with legislation that dramatically enhances the transparency and accountability associated with payments by individuals and agencies. We are making progress on matters where the bar has been raised in terms of conduct, and we will continue to pursue these opportunities with vigour on behalf of the people of this province.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Waits for long-term care have doubled in the past two years. Eye exams and other health services have been delisted from OHIP. Local emergency rooms are closing. People are told there is just not enough money for the health services that they need to rely on in this province. But then they see well-connected insiders being told how to bid on contracts worth more than these people will ever earn in their entire lifetimes. To an Ontarian waiting for care, how is that fair?

Hon. George Smitherman: The fact of the matter is that since our party came to office and formed government in 2003, the issue of people waiting for care has diminished in this province. It's not to pretend that there

are not areas where there is need for greater improvement, but the wait times reductions, which have been proven, and the fact that something close to 800,000 additional people now have access to family care in their communities, this is tangible evidence of progress for people with respect to health care.

There are many challenges. We will continue to confront those as our population ages, but we have been a government dedicated to providing resources to expand access to daycare and to reduce wait times. We have the facts and the evidence to back up the tangible progress that has occurred on our watch.

The Speaker (Hon. Steve Peters): Final supplementary?

Ms. Andrea Horwath: When it comes to health care, the people of Ontario see two different worlds. They live in an Ontario of hospital cuts, delisted services and growing waits for long-term care, but every night on the news they learn about another Ontario, where well-connected insiders live in posh hotels and get three thousand precious health care dollars every day.

If this government truly believes that this is unacceptable, why has no minister been held accountable?

Hon. George Smitherman: It's as if the honourable member hasn't been a contestant in any recent election opportunities in Ontario, where the people were given the opportunity to vote in terms of how they were feeling about the way things were going. Their rhetoric never matched their vote totals, and the member's rhetoric today does not match reality: some 1.69 million new procedures; reduced wait times: 30% for cancer, 62% for angiography, 43% for angioplasty, 52% for hip replacement; 907,000 more Ontarians have access to family care; 14 more MRIs; 1,794 more practising doctors; a 23% increase in medical school spaces, 150 family health teams, 10,000 new nurses, increased hospital funding by \$3.5 billion, 100 infrastructure projects and nurse-practitioner-led clinics—all more access for people in Ontario.

1050

SALARY DISCLOSURE

Ms. Andrea Horwath: My next question is also to the Acting Premier. It's not just eHealth where Ontario families are seeing precious health care dollars go to waste. Today, we learned that in an effort to get around their own rules, the salaries of some senior health bureaucrats are being paid through hospital budgets.

The Acting Premier was the Minister of Health who hired Deputy Minister Sapsford. Was the Acting Premier aware of the elaborate scheme that involved Hamilton Health Sciences paying Mr. Sapsford a half-a-million-dollar salary?

Hon. George Smitherman: The smoking gun of the honourable member's allegation of this big scheme is to be found in Ontario's salary disclosure law. The honourable member wishes to give evidence of some scheme, yet the reality is, emanating from the 1991 to 1993 period when for Michael Decter, a very accom-

plished individual, a similar mechanism was used. It reflects the fact that in some certain circumstances, senior officials associated with the Ministry of Health and Long-Term Care are associated with the health care sector and with hospitals. But this is information that is publicly available online and accessible to people and that reflects the reality that in leadership roles in the Ministry of Health and Long-Term Care, we need to have seasoned individuals who have the confidence of the health care sector.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Half a million dollars is a heck of a lot of money. It would pay for eight nurses or six physiotherapists or provide 3,000 Ontarians with primary care for a full year.

A hidden salary for a top bureaucrat or health care for Ontarians who really need it—where does this minister think the money should go?

Hon. George Smitherman: We stand accused by the leader of the party that instituted the practice in the first place of hiding said information. We are accused of hiding such information in the sunshine list. This is the accusation that they make.

We agree it is a substantial amount of money. It reflects the fact that this individual, as Deputy Minister of Health and Long-Term Care, is responsible for overseeing a sector which has about \$43 billion worth of expenditures and something in the neighbourhood of 400,000 employees who look to that ministry for leadership. I think it's incredibly important that the people who give guidance and leadership to the health care sector be demonstrated leaders with this kind of capacity.

That is the circumstance associated with this model first brought to bear by that honourable member's party.

The Speaker (Hon. Steve Peters): Final supplementary?

Ms. Andrea Horwath: This minister can deflect and dance and huff and puff all he wants, but this is a scandalous abuse of health care dollars, and Ontarians are being fleeced.

The Acting Premier let it happen on his watch. How can he possibly claim the McGuinty Liberals are accountable for precious health care dollars when all of the evidence we see suggests that the government is using clever accounting schemes to hide from and skirt their own salary guidelines?

Hon. George Smitherman: The honourable member is at it again. She's at it again. She continues to insist that in the salary disclosure law, which produces annually an event in this environment much considered and with excitement much covered, we have hidden this circumstance.

No. The information is plainly available. It reflects the fact that, in a very limited number of circumstances, those people who give leadership to the government's biggest ministry and the people's most precious area of public service, we hire good-quality people, and we compensate them on par with what their value is in the broader health care system. It is done in a transparent form at all times.

AGENCY SPENDING

Mr. Robert W. Runciman: My question is for the Minister of Tourism. Yesterday I was asking the tourism minister about the untendered 25-year contract deal the McGuinty Liberals are handing out to the Maid of the Mist, and the minister took special efforts to clarify that the contract with the Maid of the Mist was “a lease and not a contract.”

During the summer of scandal, the Premier made a rather large announcement where he said he was putting an end to untendered contracts. Does the McGuinty government have a special second set of rules for untendered leases?

Hon. Monique M. Smith: Yesterday in the House I was just trying to clarify that it is in fact a lease renewal. In fact, the member opposite, outside of this House, indicated that he understood some sympathy for the company because they’ve been in place with the parks commission for many, many years. The Maid of the Mist has had a lease agreement with the Niagara Parks Commission for over 100 years and has been providing that service in that area for over 100 years. They have a lease that expires this year, they entered into negotiations on a lease renewal, and that was the clarification I was trying to make for the member.

I would also note that there is a part of the property that is on the American side, and that on the New York state side, the Maid of the Mist organization has entered into a lease of 40 years, which was signed in 2002 with the New York State Office of Parks, Recreation and Historic Preservation.

The Speaker (Hon. Steve Peters): Supplementary.

Mr. Robert W. Runciman: Well, that sounded like an endorsement of a breach of the Premier’s edict.

Back to the minister: You also said, “No decision has been made; no proposal has been made to cabinet as of this date.” But the parks commission says that it has reviewed its original decision and is recommending this untendered 25-year deal. CTV reports that another potential bidder says that he is willing to offer \$100 million more than the \$650 million in the untendered deal.

Why hasn’t the minister complied with Premier McGuinty’s edict on untendered deals and put this to a competitive bidding process?

Hon. Monique M. Smith: I would just remind the member in this House, as I did yesterday, that the Integrity Commissioner was asked to review the decision of the board, and found that no wrongdoing occurred in this case. She made two recommendations, the second of which was “to instill public confidence in the board and to dispel any notion that the decision to renew the lease was one made without full information or due process, it is my recommendation that in the course of the ministry review of the lease renewal, the ministry provide the board the opportunity to review its decision with the benefit of knowing the government’s expectations regarding revenue generating opportunities and sound agency governance and with full knowledge of all the

expressions of interest received in relation to the boat-related tourist attraction in Niagara Falls.” I would note that she footnoted that recommendation and said, “In making this recommendation I am not saying, and I do not wish to be interpreted as saying, that all expressions of interest, of any degree of sophistication must be passed on to a board or a crown”—

The Speaker (Hon. Steve Peters): Thank you. New question.

PUBLIC PARTICIPATION

Mr. Peter Tabuns: A question to the Deputy Premier: In his annual report released today, Ontario’s Environmental Commissioner says that the province’s planning system is “hugely weighted” in favour of the development industry, leading to decisions which harm communities and the environment. To rebalance the playing field, the commissioner calls on this government to prevent developers from threatening citizens groups with lawsuits—SLAPP suits. SLAPP suits deter democratic participation by threatening concerned citizens with bankruptcy. Our party has put forward a private member’s bill on this very issue.

Why is the government doing nothing to address this threat to public participation and our environment?

Hon. George Smitherman: To the Minister of Municipal Affairs and Housing.

Hon. Jim Watson: I thank the honourable member for the question. I’d like to publicly thank the Environmental Commissioner, Mr. Miller, for the good work that he continues to do on behalf of the people of Ontario, and specifically, for his comments with respect to the provincial policy statement. As you know, and certainly the honourable member knows, the PPS sets out the ground rules for planning in the province of Ontario.

With respect to anti-SLAPP legislation, the honourable member may be aware that no other province, in fact, in this country has anti-SLAPP legislation: BC revoked their legislation; Quebec is looking into it, but has not passed legislation. We have not taken a position that there is a need for anti-SLAPP legislation because the OMB has been very judicious in awarding costs for those things that would be considered frivolous and vexatious.

We’re quite confident that the OMB uses its powers and decision-making authority wisely, and we’re not planning—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

1100

Mr. Peter Tabuns: Greater respect would be shown for the Environmental Commissioner if in fact his recommendations were acted on.

At the Big Bay Point hearings at the OMB, lawyers from the Ministry of Municipal Affairs and Housing stood silently while Geranium Corp. sought an unprecedented \$3.2 million in costs from Innisfil community members. Then it signed a secret land deal with Ger-

anum to allow a 1,000-slip marina on the Lake Simcoe shore.

The government is clearly on the side of these developers. The minister has said, last week and now, no plans to legislate an end to these intimidating lawsuits directed at citizens. The Environmental Commissioner has spoken. He has made a clear recommendation. Are you going to be acting on it?

Hon. Jim Watson: Again, the honourable member answered his own question when he indicated on the Big Bay Point case that costs were not awarded. The OMB looked at the situation and threw out the application by the developer to award costs from those individuals who were opposed to that particular site. That is once again another example of how the system is working. There are very few occasions when the OMB does in fact award costs, and it is for those things that would be considered frivolous by the OMB or with respect to the Planning Act.

We look forward to reviewing the Environmental Commissioner's report that was tabled today, but as I said, we have no intention of bringing forward anti-SLAPP legislation because we believe the OMB is in fact in this case doing the right thing and not awarding costs to scare people off from appearing before the OMB and bringing matters before the OMB.

INTERNATIONAL ADOPTIONS

Mrs. Amrit Mangat: My question is for the Minister of Children and Youth Services. Minister, over the summer the bankruptcy of the international adoption agency Imagine Adoption left hundreds of families devastated when they found out that their hopes for adoption were at risk due to financial failure at this company.

There were more than 300 families working with the agency to adopt. Many of these families are trying to recover the adoptions that were already under way.

Over the summer, two of my constituents, Alex and Meredith, contacted me with concerns that their brother and sister-in-law would no longer be able to adopt. Minister, my question to you is, what is our government doing to assist these families who were involved with Imagine Adoption before the company declared bankruptcy?

Hon. Deborah Matthews: Thank you to the member for Mississauga-Brampton South. The bankruptcy of Imagine Adoption has been a very difficult situation, especially for the families involved. However, I'm very happy to report that as of last Sunday, all of the children who were matched with Canadian families and living in the transition homes in Ethiopia have arrived home. In addition, the restructuring of Imagine Adoption is well under way so that other adoptions can proceed.

This would not have been possible without the dedication, commitment and passion of many, many people. I want to say thanks to my ministry for their extraordinary and compassionate work on this file, especially Sally McGowan and her team.

The success was also possible thanks to federal Immigration Minister Jason Kenney and Susan Taves, the trustee at BDO Dunwoody, who understood that this was not a regular bankruptcy process—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mrs. Amrit Mangat: Thank you, Minister. I'm pleased to hear about the measures being taken by our government to aid the families affected by the collapse of Imagine Adoption. However, the collapse of Imagine Adoption has created uncertainty for prospective adopters.

Minister, I believe that the circumstances surrounding the bankruptcy of Imagine Adoption are unacceptable and should never happen again. What is the government doing to ensure that Ontario families and prospective children in Africa and other sending countries are better protected?

Hon. Deborah Matthews: As you know, Ontario has some of the most comprehensive international adoption licensing requirements in Canada. The recent bankruptcy of Imagine Adoption, however, highlighted the need to strengthen the system. Of course, until various processes such as the police fraud investigation are complete, we cannot be certain about what would have prevented the bankruptcy of Imagine.

What we can do and we have done is listen to the families affected. That's why we're taking steps to ensure that prospective clients are better informed and better protected. Effective immediately, as part of the annual licence renewal process, we're requiring agencies to provide an audited financial statement and a report from the board of directors that outlines the agency's operations and activities to the ministry. They will also be required to make an annual report available to the public.

We know that adoption, including international adoption, is already a lengthy, uncertain and emotional process. With these changes—

The Speaker (Hon. Steve Peters): Thank you. New question.

JOB CREATION

Mr. Robert Bailey: My question is to the Deputy Premier. In budget 2009, Premier McGuinty promised 100,000 jobs for students this year. That was supposed to be in addition to the 146,000 full-time jobs he promised in the budget and the 50,000 green jobs he promised just last week. Both promises meant something to students in training and apprenticeship programs. But Stats Canada confirms that the unemployment rate for students in Ontario in fact shot up to 19.3% this summer, well above the national average. Students are leaving the province because of the McGuinty government's broken promises.

Why did the McGuinty Liberals fail students so terribly?

Hon. George Smitherman: To the Minister of Finance.

Hon. Dwight Duncan: The member is right: We did provide the funding to create 100,000 student jobs, and

he voted against it. Those jobs are being created. The member is absolutely right: We have committed to creating 50,000 jobs in green energy, and that member and his party would rather keep coal-fired plants open and voted against it.

What we also said in the budget, if the member looks very carefully at the budget, he will see—I imagine they realize there has been an enormous downturn in the world economy, and our government's undertaking was to create these jobs recognizing the challenges in the economy. I regret that he and his party voted against jobs for kids, voted against green jobs, voted against jobs for Ontarians and now want to close casinos in Windsor and Niagara Falls. It is a shameful record on their part. We'll continue to invest—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Robert Bailey: I don't regret any votes that I've taken on this side of the House. On that litany of failure that he recited, I'll let the public make the decision.

Again to the Deputy Premier: It's reaching the point where budget 2009 can be found in the fiction aisle of the local libraries. The only jobs being created in Ontario today are jobs for Liberal fundraisers, friends and hand-picked officials. Ontario families and students in trades and training are struggling to make ends meet while the Liberal family is cashing in and taking its winnings to the bank. When can Ontario families expect their share of this pot?

Hon. Dwight Duncan: I say the member opposite ought to be ashamed that he voted against funding for summer companies, hands-on business training and mentoring and up to \$3,000 in awards to help enterprising students aged 15 to 29 start up and run their own businesses. He ought to be ashamed that he voted against another program to create 600 summer companies, a record-setting year in 2009.

There's no doubt that far too many people in Canada and around the western world are unemployed. That challenge extends to this province. We've laid out a plan: 300,000 jobs over two years in infrastructure: You, sir, voted against it. Fifty thousand jobs in green energy: You, sir, voted against it. Jobs for students: You, sir, and your party voted against it.

The time is to take action. We're taking that action, knowing that the problem is great and knowing we can't fix every problem, but that party wants to put its head in the sand and pretend there's no problem. It has voted against every form of—

The Speaker (Hon. Steve Peters): Thank you. New question.

MANUFACTURING AND FORESTRY SECTOR JOBS

Mr. Gilles Bisson: My question is to the Minister of Northern Development, Mines and Forestry. You know last week, Minister Cansfield, the former minister responsible for forestry, said in the House that if there

was a proposal put in front of them for wood allocation from Smooth Rock Falls, wood allocation would not be a problem. Further, she said the regional director indicated at the time that if there was a proposal put in front of the ministry, wood allocation would not be a problem and denies that there has been any application put. I'm sending over to you right now two documents, along with the business plans that have been put together by the proponents in order to get wood allocation.

1110

My question, simply, is this: If these documents have been before the ministry for the past year, why are you not giving a wood allocation?

Hon. Michael Gravelle: Thank you to the member for the question. Indeed, last week I had an opportunity, with the member, to meet with Mayor Somer, and we are meeting this afternoon to have a further discussion about this issue. There has been a proposal that has been put forward; also, I think a request for expressions of interest on our staged wood supplies, as well as a request put forward under that stage one process. Certainly we want to continue to work with Mayor Somer. I'm looking forward to having an opportunity to speak with him this afternoon about the application that's done.

There's no question that there is an issue related to the challenge of wood supply, and there are other issues as well that make it challenging. But again, our staff are working with the mayor and with the community, and I'm looking forward to having an opportunity to speak with Mayor Somer this afternoon.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Gilles Bisson: You can rest assured that Mayor Somer and others who will be meeting with you are going to talk about their frustration, because they have put before your ministry, time after time, a demand for wood. They've put in front of you a business plan. They've been frustrated all the way through. We come here to the Legislature and my leader, Andrea Horwath, asks the question; she's told squarely by the minister, "We've never seen the application. We haven't worked with them." What is going on over there?

We have a community that has been severely affected by the closure of the only employer in town. They've done their homework. They've put in front of you the applications for fibre, they've put in front of you the financial plans, and they've also got the dollars in place in order to make this go forward. What I want from you now: Will you give a wood allocation to this community, yes or no?

Hon. Michael Gravelle: Thank you again to the member. I understand what an important issue this is for the community of Smooth Rock Falls. Unfortunately, the reality is that much of the wood supply is licensed and allocated to another company, which is also fighting to survive in Ontario, and there are some challenges related to that.

What I can tell you is that I am looking forward to having an opportunity to meet with Mayor Somer and other officials from Smooth Rock Falls this afternoon.

We want to find a way to move forward. There's no question that this is a project that requires some significant work.

Again, I'm glad I had the chance to see Mayor Somer last week, and I'm looking forward to having the opportunity to speak with him and others this afternoon. We'll continue to work the best we can with our staff to find the best way forward in terms of this project.

TAXATION

Mr. David Oraziatti: My question is to the Minister of Revenue. In the north we are fortunate to have a number of important natural resource industries, including mining, forestry and various types of agriculture. Companies in these sectors, such as St. Marys Paper, Essar Steel and Flakeboard, provide good jobs to residents in my community of Sault Ste. Marie. These jobs allow them to provide for their families and contribute to our community as well as to our local economy.

While our government has made numerous investments to support primary industries in northern Ontario, including creating the forest sector prosperity fund and the mining centre of excellence, industry representatives and those who rely on these jobs to provide for their families have come to me with concerns around HST. What will HST mean for these industries in northern Ontario?

Hon. John Wilkinson: I want to thank my colleague for the question. Ontario's a jurisdiction where some 80% of what we make in this province we export outside of this province, and we know that in the north, of course, it is particularly important that we have a vibrant export market for our goods and services, for the mining industry and the forestry industry. Under our tax reform, those industries will benefit.

For example, Ontario's mining, utilities, oil and gas extraction services sector will save roughly \$95 million net per year as a result of our tax reforms. That is money that is bankable, that will help that industry. I know that the forestry and agriculture sectors also will be saving some \$25 million net a year.

What we need in this province is more jobs. We need our exporters to be part of a vibrant economy. We are doing the single most important thing we can to give them a new competitive advantage as they compete around the world—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. David Oraziatti: The people in my community and throughout northern Ontario face enough challenges as it is; now they're having to deal with fearmongering from those who are only telling half the story on HST. I recognize that we are taking steps to get people back to work—and it's true that prices on some items are going to increase—but the majority of items, 80%, will see no tax change at all, and TD Bank estimates that prices before taxes will fall by about 1%. Organizations like the Ontario Road Builders' Association and the Ontario Trucking Association support the HST.

Minister, will the HST create jobs? Who are we to believe on this—those who are fearmongering or those who are working to build Ontario's economy and support Ontarians?

Hon. John Wilkinson: It's important, when we have a public debate like that, that we look to third parties who have commented on that, and more and more are commenting on our tax reform package—the largest single tax reform in this province in over 40 years. Increasingly, what we see is that people are coming to the conclusion, as have competitive countries around the world, that this tax reform leads to more jobs. We look at the report from the Ontario Chamber of Commerce: very clear that this will create more jobs. We look at the TD Economics report: very clear that it will create jobs. But beyond that, there is a building coalition in this province: the Daily Bread Food Bank, the Ontario Federation of Agriculture, TD—many are joining the movement to understand that this massive tax reform is going to be a benefit to our economy. That's exactly why we're doing it. We need to help people get back to work and we need to be competitive, and that is the thing that we are doing by doing our job here on—

The Speaker (Hon. Steve Peters): New question.

ELECTRONIC HEALTH INFORMATION

Mrs. Christine Elliott: My question is for the Deputy Premier. Over the last six months, the picture has become more clear. What started out in May as \$5 million in untendered contracts given by eHealth to Liberal-friendly firms has since ballooned to \$16 million in untendered deals. That doesn't even include the \$30-million untendered contract handed out by Management Board to IBM. It's time for the McGuinty Liberals to do the right thing. Will you save yourselves some embarrassment and show the Minister of Health the door today?

Hon. George Smitherman: I rather suspect that the question sends shivers down the spine of the two former health ministers in the front row of the honourable member's current caucus group, who also had opportunities and took advantage of such opportunities to sole-source technology contracts related to health informatics infrastructure.

We've raised the bar. We've set a new standard. We've eliminated the prospect for sole-sourcing. They did it. We've done it. It has been the pattern, but it has been changed. We've raised the bar on that activity. Tomorrow, the auditor will provide a report that will obviously further stimulate action on our part to pursue, with the greatest vigour possible, the necessary defence of the taxpayer's dollar. If lessons are learned, then they will be applied, and we look forward to the auditor's presentations.

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Christine Elliott: I'm sure the auditor's report is going to stimulate a lot of activity, but the Ontario Liberal Party's fingerprints are all over this. We've got companies involved—Courtyard, Anzen, IBM—and a

cast of characters, starting with Sarah Kramer, Will Falk, Alan Hudson, John Ronson, Jeff Smith, Karli Farrow, and the list goes on, all tied up in this mess. We've got millions of dollars in untendered contracts, even a tendered deal that's very suspicious. Sarah Kramer was shown the door, Alan Hudson resigned and your executive has vanished. But this all lands at the feet of Management Board. A full review of the ministers involved in this needs to be done. Will you start the ball rolling by showing Minister Caplan the door today?

Hon. George Smitherman: The honourable member has taken the task of just listing a bunch of people who, by coincidence of being in the same city and in the same work environment, also know each other. Then the honourable member went further. She turned IBM, which I think most people would agree is one of the great companies of the world, into some lackey, some toady, of government. In fact, I think it is the honourable member who reaches too far. Tomorrow the auditor will give advice, no doubt, about areas where improvements need to be made, and we will pursue those with vigour. But we do so knowing that we have eliminated sole-source contracting in the province of Ontario, a practice that was done regularly under that party when they were in government, and that party, too.

1120

AIR-RAIL LINK

Ms. Andrea Horwath: My question is to the Minister of the Environment. Here's a headline on a news release dated June 15, 2007: "McGuinty Liberals Sink Unpopular High-Speed Rail Project." The release says, "The McGuinty Liberals struck a fatal blow to the unpopular high-speed rail link through York South-Weston." The release was put out by the Liberal MPP of York South-Weston.

Yesterday, this minister announced the exact opposite. The air-rail link, Blue 22, has been given the green light to proceed. How does the minister explain this hypocrisy?

The Speaker (Hon. Steve Peters): I'm just going to ask the honourable member to withdraw the comment, please.

Ms. Andrea Horwath: I withdraw, Speaker.

How does the minister explain this discrepancy?

Hon. John Gerretsen: Well, first of all, let me say that this party and this government is in favour of transit. That's why we are investing billions of dollars in transit to get cars off the road, and that party voted against every transit initiative that this government has come up with over the last five years.

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock. Minister?

Hon. John Gerretsen: Thank you, Speaker. We took a tough decision yesterday and put 18 tough—

Interjections.

The Speaker (Hon. Steve Peters): I would just ask honourable members that—we had some silence, and the moment I sat down, I could hear some interjections across the floor. I really don't want to get to the point of naming members for interjections. I think that the interjections do play a role, but the constant interjections by certain individuals start to wear on the Speaker, so I just ask members to be cautious.

Minister?

Hon. John Gerretsen: We've imposed 18 tough conditions on Metrolinx in order to build this transit system. It will include a tier 4 diesel technology that is currently in development and will be available on the market in 2015. That will, in effect, reduce emissions with respect to particulate matter by 90%. It will reduce nitrogen oxides by 80%. It will be the most modern diesel technology available.

We think that transit is good for the people of Ontario. We want to get cars off the road so that the people of Ontario can breathe the best air quality possible.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: What the Liberal Party is in favour of is one thing before an election—one thing to get elected—and something else totally once they get into power. That's what that Liberal Party stands for.

Residents in York South-Weston and elsewhere along the Georgetown south rail corridor are feeling betrayed this morning, and rightly so. They do not want dirty, private diesel trains polluting their neighbourhoods. They support real public transit, transit that improves the community they call home.

Why were they told one thing before the last election but now are being forced to accept quite something else altogether?

Hon. John Gerretsen: Well, as the member well knows, the project has changed quite substantially since 2007. For example, there will be a number of stops along this transit system, which is what the people of that area wanted. There will also be the retaining connections of the neighbourhoods there that the people are very concerned about.

We are absolutely convinced that the 18 tough conditions that we have imposed upon this particular project will make for a better project, will deal with the air-quality standards that everyone is concerned about and will take more cars off the road so that transit will become a greater reality for the people of Ontario and for the people of the GTA.

IMMIGRANT SERVICES

Mr. Phil McNeely: My question is for the Minister of Citizenship and Immigration, and it's in relation to an article from the Ottawa Citizen over the weekend. Its title reads "Ottawa is Healthy and Vibrant—Unless You're a Have-Not." The article goes on to talk about the Vital Signs report for Ottawa that is out today. Although the article hails Ottawa for being a fundamentally secure and thriving community, it also highlights the dire circum-

stances new immigrants face. The article talks about folks not earning enough to take care of their families. It then goes on to say, "It is worse for new immigrants." Clearly, we all have a responsibility here to ensure that these families are receiving the necessary support from governments.

What does the minister intend to do to ensure immigrant families living in Ottawa are receiving the support they deserve and need?

Hon. Michael Chan: I want to thank the member from Ottawa—Orléans for the question.

We are proud of our record in supporting newcomers in the Ottawa area. Allow me to provide you with some numbers. We are proud of the investment of over \$8 million in bridge training programs so that individuals can utilize their skills and find employment. We are proud of our investment of over \$2 million in settlement services so that newcomers have the right tools to start a new beginning. We're also proud of our investment of over \$29 million in language training so that individuals are ready for life in Ontario—ready for the workforce and ready to support their families.

We can see this high level of commitment all across Ontario from our government and we know newcomers are benefiting from our actions.

The Speaker (Hon. Steve Peters): Supplementary.

Mr. Phil McNeely: The numbers are startling. The article cites a 2006 figure. The unemployment rate for immigrants who have been in the country for five years or less is 13.5%, double that of non-immigrants. The numbers could have only become bleaker since that time.

I'm pleased to hear about the investments in Ottawa in a time of need. Such funding and services make a big difference in the lives of these families, but there must be more we can do. Supporting these families will help us build strong and prosperous communities across Ontario. The success of these families will ensure that children in these families also have a fair shot at reaching their highest potential.

Support has to go to the next level. There's a clear need for it. What will the Minister of Citizenship and Immigration do to ensure that the support is taken to the next level?

Hon. Michael Chan: As of March 31, 2009, the federal government has underspent by \$193 million from the Canada-Ontario immigration agreement signed in 2005. Four years have passed but less than half of the fund has been spent. We are taking this to the next level. We are asking the federal government for a new deal—namely, devolution of the COIA funding; a new deal where the federal government's portion of responsibility is transferred to the province; a new deal where Ontario will be treated the same as British Columbia, Manitoba and Quebec. A new deal for Ontario will mean that we will be able to provide a comprehensive set of services and programs. These steps will ensure that Ontario's newcomers are supported in a more viable and effective manner.

CHILDREN'S AID SOCIETIES

Mr. Garfield Dunlop: My question today is to the Minister of Children and Youth Services. Minister, the Children's Aid Society of Simcoe County finds itself in a terrible economic situation. They are projecting a \$5-million deficit this year. In fact, 36 of Ontario's 51 CASs have applied under section 14 for review, by far the most in our province's history.

In Simcoe county they are doing everything humanly possible to carry out the mandatory programs that your ministry oversees. While Liberal fat-cat consultants are at the trough with untendered contracts on a daily basis, the most marginalized, vulnerable and disadvantaged children in our province are being neglected by the McGuinty Liberals and are at risk of having their lives devastated even further.

When will you, Minister, provide leadership and stand up for the most vulnerable children in our society?

Hon. Deborah Matthews: I appreciate having a question regarding the well-being of children from the party opposite. Thank you for the question. But I must say I find it a bit ironic that on one hand we're being encouraged not to spend and, in this particular case, we're being encouraged to spend.

There is nothing more important than the well-being of kids who are in the care of the children's aid society. We are not cutting funding across the sector; we are in fact spending \$30 million more this year than we budgeted last year.

What we are doing this year, though, is being very clear with children's aid societies that we will not be able to support them in the year-end funding that they have become used to receiving over the past many years. We are very committed to better outcomes for kids in care. We're working closely with children's aid societies so they can continue to provide the support these kids need.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Garfield Dunlop: Minister, you're going to have to do more. The costs to operate the Simcoe county CAS are similar to the costs to operate the other CASs in the GTA. The GTA average daycare rate is \$103.41, and the Simcoe county average daycare rate is \$73.54, a difference of \$30 per day, per child.

1130

Will you commit to this House today that you will help the most vulnerable children in Simcoe county and increase their funding to the GTA average?

Hon. Deborah Matthews: We are moving forward with a commission to promote sustainable children's aid societies because we acknowledge that there are problems within the children's aid sector. We're moving forward working with children's aid societies. We're committed to a sustainable system. We are spending a billion dollars more now on CASs than we were 10 years ago. It's gone from about \$500 million to \$1.4 billion. That is unsustainable growth. We have hard work ahead of us, and we'll work in partnership with the CASs to get

to where we need to go to have the right services in place for the kids.

AFFAIRES FRANCOPHONES

M^{me} France Gélinas: Ma question est pour la ministre déléguée aux Affaires francophones. La semaine dernière, en lisant *Le Voyageur*, j'étais amèrement déçue, renversée, époustouflée, étonnée, sidérée et en fin de compte, fâchée de lire que le Prix jeunesse de la francophonie de l'Ontario a été créé sans consulter l'organisme qui représente la jeunesse franco-ontarienne.

Ma question est simple : pourquoi la Fédération de la jeunesse franco-ontarienne a-t-elle été tenue à l'écart de ce projet?

L'hon. Madeleine Meilleur: Je suis très heureuse d'avoir une question au sujet de la francophonie. Ce gouvernement ici est très fier de la création de ce Prix jeunesse parce que les jeunes sont souvent laissés à part, et ils accomplissent des choses exceptionnelles en Ontario.

Pour parler juste de nos écoles françaises : nos jeunes francophones ont réduit le décrochage scolaire d'une façon exceptionnelle. Ils réussissent aux examens de l'OQRE, et on ne les reconnaît pas assez. Alors on a créé comme gouvernement ce Prix jeunesse-là et nous en sommes très fiers.

The Speaker (Hon. Steve Peters): Supplementary.

M^{me} France Gélinas: Je n'ai pas dit que ce n'est pas une bonne idée. Le Prix jeunesse de la francophonie est une bonne idée, mais quand tu l'organises dans une situation où tu garantis que ça ne va pas fonctionner, pourquoi est-ce que ça va qu'on fait ça? On dirait que le gouvernement multiplie ses efforts—ses bévues du côté des services en français. Dans le dernier mois, on a vu le dépliant pour la grippe H1N1, distribué en anglais seulement, à la grandeur de l'Ontario, même dans les régions désignées; le projet de loi 183, la Loi sur les services en français, brille par son absence. Puis, on vient de refuser de désigner le poste du directeur régional à la Division de l'emploi et de la formation pour le nord comme un poste bilingue.

Ma question : pourquoi les francophones comptent-ils si peu pour le gouvernement McGuinty?

L'hon. Madeleine Meilleur: C'est très riche, une question de la sorte qui vient du gouvernement néo-démocratique, qui a coupé le nombre d'individus travaillant à l'Office des affaires francophones et qui a réduit son budget d'une façon exceptionnelle. Alors, je trouve ça très riche, venant de ce parti-là.

Ce gouvernement ici a fait beaucoup pour les francophones en Ontario. On a juste à parler de la nomination d'un commissaire aux services en français, du conseil d'administration indépendant de TFO—TFO est devenu un organisme indépendant—et de l'ajout incroyable d'argent pour nos écoles francophones. Alors, je trouve ça très riche, venant de votre parti. Ce gouvernement-ci va continuer à travailler très fort pour

les francophones en Ontario. Et nos jeunes : on vient de lancer la stratégie jeunesse, alors les jeunes sont très impliqués dans nos plans. Merci beaucoup pour la question et pour votre intérêt dans la francophonie.

RESEARCH AND INNOVATION

Mr. Dave Levac: My question is to the Minister of Research and Innovation. As we know, the global chemical industry is one of the largest manufacturing industries in the world, with an annual revenue of over \$3 trillion and revenues in Canada of over \$47 billion. The global challenges of sustainability and climate change are driving the growing demand for green industry products and processes. Bio-based and green-chemistry-derived products represent a growing part of a worldwide chemical industry, and demand is rising rapidly. Ontario is in a unique position to capitalize on this new market while delivering high-value jobs, particularly in the riding of Brant, as we're seeking to be the green hub—and a healthier environment for all Ontarians.

Can the minister tell us what he's doing to get those supports for green jobs? We're in the race, and we want to know if we're going to come first. I ask the minister, what are we doing to get—

The Speaker (Hon. Steve Peters): Thank you.

Hon. John Milloy: I'm very pleased to inform the House that this has been one of the great priorities of the Ministry of Research and Innovation, investing in green technologies. Since its inception, MRI has invested more than \$146 million towards almost 200 projects that focus on research projects and companies working on green technologies and initiatives.

If I can share with the House just one example: A couple of weeks ago, the Minister of the Environment announced a \$13.6-million investment in GreenCentre Canada, located at Queen's University in Kingston. The centre, which will be operated by Parteq Innovations, will connect green chemistry discoveries in Ontario universities with companies to develop alternatives to toxic chemicals and get them to the marketplace faster.

In its first five years, the centre expects to create several start-up companies and at least 250 jobs while strengthening the global competitiveness of Ontario's—

The Speaker (Hon. Steve Peters): Thank you.

I'd just remind members of the Speaker's Taste of the Greenbelt reception in 228 and 230, this afternoon from 5 to 7. All members and staff are welcome.

MEMBER'S ANNIVERSARY

The Speaker (Hon. Steve Peters): I'd also just ask the members to join me in congratulating—today's the 40th anniversary of Minister Bradley entering into political life. Forty years ago today, October 6, 1969, Minister Bradley entered the world of politics.

Happy 40th anniversary.

DEFERRED VOTES

TIME ALLOCATION

The Speaker (Hon. Steve Peters): We have a deferred vote on government notice of motion 139 on allocation of time on Bill 173, An Act to amend the Mining Act.

Call in the members. This will be a five-minute bell.

The division bells rang from 1137 to 1142.

The Speaker (Hon. Steve Peters): All those in favour will please rise one at a time and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia
Albanese, Laura
Arthurs, Wayne
Balkissoon, Bas
Bartolucci, Rick
Berardinetti, Lorenzo
Best, Margaret
Bradley, James J.
Brotten, Laurel C.
Brown, Michael A.
Brownell, Jim
Chan, Michael
Colle, Mike
Craitor, Kim
Crozier, Bruce
Delaney, Bob
Duguid, Brad
Duncan, Dwight
Flynn, Kevin Daniel

Fonseca, Peter
Gerretsen, John
Gravelle, Michael
Hoskins, Eric
Hoy, Pat
Jaczek, Helena
Jeffrey, Linda
Johnson, Rick
Kwinter, Monte
Levac, Dave
Mangat, Amrit
Matthews, Deborah
McMeekin, Ted
McNeely, Phil
Meilleur, Madeleine
Milloy, John
Mitchell, Carol
Mori, Reza
Oraziotti, David

Pendergast, Leeanna
Phillips, Gerry
Pupatello, Sandra
Qaadri, Shafiq
Ramal, Khalil
Rinaldi, Lou
Ruprecht, Tony
Sandals, Liz
Smith, Monique
Smitherman, George
Sorbara, Greg
Sousa, Charles
Takhar, Harinder S.
Van Bommel, Maria
Watson, Jim
Wilkinson, John
Wynne, Kathleen O.
Zimmer, David

The Speaker (Hon. Steve Peters): Those opposed?

Nays

Arnott, Ted
Bailey, Robert
Bisson, Gilles
Chudleigh, Ted
DiNovo, Cheri
Dunlop, Garfield
Elliott, Christine
Gélinas, France
Hampton, Howard
Hardeman, Ernie

Hillier, Randy
Jones, Sylvia
Klees, Frank
Kormos, Peter
Marchese, Rosario
Martiniuk, Gerry
Miller, Norm
Miller, Paul
Munro, Julia
O'Toole, John

Ouellette, Jerry J.
Prue, Michael
Runciman, Robert W.
Savoline, Joyce
Shurman, Peter
Sterling, Norman W.
Tabuns, Peter
Wilson, Jim
Witmer, Elizabeth
Yakubski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 56; the nays are 30.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Motion agreed to.

PUBLIC SECTOR EXPENSES

REVIEW ACT, 2009

LOI DE 2009

SUR L'EXAMEN DES DÉPENSES
DANS LE SECTEUR PUBLIC

The Speaker (Hon. Steve Peters): We now have a deferred vote on the motion for third reading of Bill 201. Call in the members. This will be a five-minute bell.

The division bells rang from 1145 to 1146.

The Speaker (Hon. Steve Peters): Mr. Takhar has moved third reading of Bill 201. All those in favour will please rise one at a time and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia
Albanese, Laura
Arthurs, Wayne
Balkissoon, Bas
Bartolucci, Rick
Berardinetti, Lorenzo
Best, Margaret
Bisson, Gilles
Bradley, James J.
Brotten, Laurel C.
Brown, Michael A.
Brownell, Jim
Chan, Michael
Colle, Mike
Craitor, Kim
Crozier, Bruce
Delaney, Bob
DiNovo, Cheri
Duguid, Brad
Duncan, Dwight

Flynn, Kevin Daniel
Fonseca, Peter
Gerretsen, John
Gravelle, Michael
Hoskins, Eric
Hoy, Pat
Jaczek, Helena
Jeffrey, Linda
Johnson, Rick
Kwinter, Monte
Levac, Dave
Mangat, Amrit
Matthews, Deborah
McMeekin, Ted
McNeely, Phil
Meilleur, Madeleine
Milloy, John
Mitchell, Carol
Mori, Reza
Oraziotti, David

Pendergast, Leeanna
Phillips, Gerry
Pupatello, Sandra
Qaadri, Shafiq
Ramal, Khalil
Rinaldi, Lou
Ruprecht, Tony
Sandals, Liz
Smith, Monique
Smitherman, George
Sorbara, Greg
Sousa, Charles
Takhar, Harinder S.
Van Bommel, Maria
Watson, Jim
Wilkinson, John
Wynne, Kathleen O.
Zimmer, David

The Speaker (Hon. Steve Peters): All those opposed?

Nays

Arnott, Ted
Bailey, Robert
Chudleigh, Ted
Dunlop, Garfield
Elliott, Christine
Hardeman, Ernie
Hillier, Randy

Jones, Sylvia
Klees, Frank
Martiniuk, Gerry
Miller, Norm
Munro, Julia
O'Toole, John
Ouellette, Jerry J.

Runciman, Robert W.
Savoline, Joyce
Shurman, Peter
Sterling, Norman W.
Wilson, Jim
Witmer, Elizabeth
Yakubski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 58; the nays are 21.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Third reading agreed to.

The Speaker (Hon. Steve Peters): There being no further votes, this House stands recessed until 3 p.m. this afternoon.

The House recessed from 1149 to 1500.

INTRODUCTION OF VISITORS

Ms. Sophia Aggelonitis: It gives me great pleasure to introduce today Erin Boudreau from Children's Mental Health Ontario, as well as Chelsey Henderson, a grade 11 student from Waterdown District High School and her parents, Bruce and Sharlene Henderson. They're here today to witness the introduction of her bill.

M. Jean-Marc Lalonde: J'aimerais souhaiter la bienvenue aux membres du conseil de la ville de Hawkesbury: M^{me} la maire, Jeanne Charlebois; conseillers André Chamailard, Gilbert Cyr et Gilles Tessier; ainsi que la greffière, Christine Groulx. Welcome to Queen's Park this afternoon.

MEMBERS' STATEMENTS

PENSION REFORM

Mr. Norman W. Sterling: I rise today to bring members' attention to a demonstration which will be occurring here at Queen's Park tomorrow. Pension plan members from the automakers and Nortel will be here to demand this government's help in protecting their pension plans. Our pension system desperately needs reform. Presumably, that is why this government set up the Expert Commission on Pensions. Unfortunately, it has been 11 months since the Arthurs report was released, yet we have not seen any move by this government to fix the pension system.

If the Minister of Finance is not ready to introduce full-scale pension reform, I ask him to change one thing immediately. I raised this issue with the Minister of Finance in estimates committee in July. The current legislation requires that when a company ceases to exist, FSCO, the Financial Services Commission of Ontario, must wind up the pension plan, requiring plan members to purchase an annuity. That's the only option they have at the present time. With interest rates at an historic low, an annuity purchase today would only pay between 25% and 50% of what the pension pays.

The minister could ensure these people a much brighter retirement if he would either postpone the winding up of the pension plan or allow them to move their share of the pension plan into an RRSP rather than purchase an annuity. Time is of the essence. Nortel's pension plan is going to be wound up. The minister needs to do something now.

McVEAN FARM

Mr. Kuldip Kular: I would like to share with my colleagues news of an exciting project in my riding of Bramalea-Gore-Malton. The McVean Farm recently received a grant through the Trillium fund that will help grow a new generation of farmers in our province. The McVean Farm is a place where urban Ontarians and newcomers explore opportunities in agriculture and agribusiness. A grant of \$318,000 over three years will fund a new incubator facility and encourage farmers to meld traditional wisdom with modern science and research to develop fresh, local, marketable products for consumers.

As a farm in an urban landscape, the McVean Farm is an example of sustainable development at work, a viable alternative to conventional land use in an urban setting. It celebrates the pioneering spirit of Ontario's growers and contributing to the future of Ontario's farming industry.

I trust my colleagues will join me in congratulating the McVean Farm and its partners and offering best wishes for future success.

FILIPINO COMMUNITY

Mr. Peter Shurman: On September 26, Tropical Storm Ketsana hit the city of Manila and surrounding

provinces in the Philippines. This was the biggest and most devastating storm that the region has seen in over 40 years, with 1.9 million people affected by this disaster. The death toll rose to 280 and more than half a million people are left without their homes.

This past Sunday, I participated in the efforts of Thornhill's Filipino community, led by Erlinda Insigne, who gathered at the Patricia Kemp Community Centre to organize donations of clothing, blankets and food for a much-needed relief shipment.

The hard work and dedication by the Filipino-Canadian Charitable Association of Vaughan, the Philippine Heritage Band and the Leyteno Association of Ontario and the generosity of the people who dedicated hours of their time to help those in need overseas is one of the reasons that I am very proud to represent the riding of Thornhill.

It is especially in such tragic and difficult circumstances that a community's strength is revealed, and I am proud to say that this strength shone especially bright on Sunday as the Filipino community gathered for a common cause.

On behalf of the residents of Thornhill, I wish to also express my sincere condolences to the families and friends of those lost in this disaster and wish a speedy recovery to the many injured residents in Manila and surrounding regions.

SCHOOL EXTRACURRICULAR ACTIVITIES

Mr. Rosario Marchese: I want to put on the record some comments made by Jonathan Scott, who wrote a discussion paper for the Ontario Student Trustees' Association. He says the following:

"Extracurricular activity fees can include everything from sports teams, drama productions, club membership and social events. Extracurricular activities are the main mechanism for effective instruction in leadership, sports, art and drama by way of experiential learning. In our education system, separating extracurricular activities from the scope of learning is not only difficult but wrong-headed."

He says, "Among the findings:

"—some 77% of secondary schools charge fees, sometimes as high as \$500;

"—student activity fees have increased by over 50% since 2001; and

"—in an average-sized board, start-of-term fees ranged from \$10 to \$55.

"Increasingly, the reality of public education is one of dichotomy between the rich and the poor. A substantial part of education is neither free nor equitable. The rich receive the benefit of experience while the poor receive a no-frills education. The wealthy can afford to participate in extracurricular activities while the poor cannot....

"The issue discussed in this paper confronts the government's goals of equity and poverty reduction," and says to the minister, "You've got to deal with this."

I hope she does.

ESSEX COUNTY

Mr. Bruce Crozier: Mr. Speaker, I want to share with you and my colleagues today some good things about Essex county. As my wife, Joan, and I often do, we were taking a leisurely drive around the county last Sunday, and I got to thinking about how great it is to live in this part of the country—in southwestern Ontario but particularly Essex county.

Where else in the first week of October can you still get sweet corn? Essex county. Where else in the province of Ontario in the first week of October can you still get field tomatoes?

Mr. Rosario Marchese: Let me guess.

Mr. Bruce Crozier: In Essex—you got it? In Essex county. Where else can you get all the pumpkins and gourds and sheaves of corn that we need for Halloween?

Interjections.

Mr. Bruce Crozier: Essex county. You got it. It's a great place to live.

In addition to that—I suggest you take the trolley around the county for this one—we have 13 wineries. So you can take a great fall wine tour, driven by the trolley, and just enjoy yourself and enjoy the outdoor atmosphere in Essex county.

I know you all live in great places in this province, but there is none greater than Essex county.

STROKE RECOVERY ASSOCIATION

Mr. Gerry Martiniuk: I'm proud to rise today to recognize the 30th anniversary of the Cambridge district chapter of the Stroke Recovery Association. Founded in 1979, the Stroke Recovery Association assists stroke victims and their families through support, information, education and social events.

Over the years, countless people have expressed appreciation for the program and the peer support offered by the volunteer-run association. I commend the association's coordinator, Norma Rudy, and many of the other volunteers for their hard work and commitment to assisting victims of stroke.

Tomorrow evening the Stroke Recovery Association members will gather at the Preston Mennonite Church for a celebration dinner. Thirty years serving stroke victims and their families is a record to be proud of.

1510

I extend my heartfelt appreciation to the many volunteers for their support, dedication and motivation. Our community relies on the excellent work of the Stroke Recovery Association. The support you provide to stroke victims and their families is a valued resource in our community. Congratulations to all on this important occasion.

GENERATING STATION

Mr. Kevin Daniel Flynn: Last week, my community learned that TransCanada was awarded a contract by the Ontario Power Authority, the OPA, to build a new power

generating facility on Ford's property in the town of Oakville. The decision was met with shock and disappointment by myself and all the members in my community. My constituents have raised the question: How can the OPA proceed and build a facility near a residential neighbourhood with an already stressed airshed?

I will support all efforts to ensure that the Clarkson airshed achieves improved air quality. I'm fully supportive of the efforts of the elected officials at the town of Oakville, which recently introduced an interim control bylaw to review approval of sites just like the one we're discussing now. I understand, though, that this bylaw, which was introduced by Oakville's duly elected officials, will be challenged next week at the Ontario Municipal Board by Ford of Canada and by TransCanada.

In the coming days I hope to be speaking with the representatives of ratepayers' organizations in the town of Oakville. Along with Mayor Burton and town council, they have protested this facility over the past few months. I look forward to working with all to develop the most favourable and the most successful course of action to protect my community.

FILIPINO COMMUNITY

Mr. Mike Colle: I join my colleague from Thornhill in asking all of us in Ontario to support our Filipino brothers and sisters who are trying desperately to help the victims of not one but two typhoons that have hit the city of Manila. Last Sunday, I attended a special service at Our Lady of the Assumption Church in my riding in aid of the victims of this massive devastation. Hundreds of people came to collect food, clothing, medical supplies, anything that they could, to donate to the victims of the typhoons, who have lost almost everything.

These typhoons have affected their brothers, their sisters, their mothers and fathers back in Manila. Hundreds have perished; hundreds are still trapped and feared dead. Hundreds of thousands have been displaced out of their homes. They're trudging through sludge, high water—lack of clean water is also a problem—and they've lost their homes.

Members of the Filipino community across Ontario and Canada are bravely trying to do whatever they can to help their loved ones back home. I hope that all of us will join together with our fellow Filipino-Canadians in being generous and helping them to fill these containers with food and medical supplies so that we can help our brothers and sisters who are affected by this horrible climatic change in the Philippines. Please do what you can in supporting our fellow Filipino-Canadians in this time of great need.

VIETNAM

Mr. Tony Ruprecht: On behalf of Premier McGuinty and the government of Ontario, I'm delighted to introduce to you the trade and government delegation from

Vietnam. They're visiting our Legislature today to meet with the Minister of Economic Development and Trade and Premier McGuinty.

When Canadians think about Vietnam, it is inevitable that they think of conflict, of war, of poverty, rice paddies, thick jungles and so on, and these images are hard to change. But the Vietnam of today is totally different, and we have to change our image. The country has joined the World Trade Organization. Over 60% of its citizens between 18 and 25 are motorized. Building cranes are everywhere. Export is increasing, and the whole country seems to be on the move. It is very clear that one could see what can be done when weapons of war are turned into ploughshares: we saw tremendous economic growth and development. Living standards are, of course, rising, and generally the quality of life is improving.

What truly amazed me when I visited Vietnam was the fact that every provincial Premier we met read from the same script: encourage foreign trade, encourage foreign investment, expand the market share of your products and educate and train the workforce. That too is our goal in Ontario. That's why we welcome especially this trade delegation from Vietnam, because we think that our equipment here and the way we move in Ontario could be very helpful to those in Vietnam as well, and consequently, we want to encourage trade and our friendship with them.

Today in the delegation we have the People's Committee of Kien Giang province, and in fact the President is here—his name is Bui Ngoc Suong—and Luu Phuoc Luong, who is the Lieutenant General of the southwest steering committee.

INTRODUCTION OF BILLS

MENTAL HEALTH AWARENESS DAY ACT, 2009

LOI DE 2009 SUR LE JOUR DE LA SENSIBILISATION À LA SANTÉ MENTALE

Ms. Aggelonitis moved first reading of the following bill:

Bill 205, An Act to proclaim Mental Health Awareness Day / Projet de loi 205, Loi proclamant le Jour de la sensibilisation à la santé mentale.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The member for a short statement.

Ms. Sophia Aggelonitis: Before I begin I'd like to recognize Chelsey Henderson, a grade 11 student at Waterdown District High School, who's joining us here today with her parents. Chelsey's teacher, Mr. Nathan

Tidridge, challenged his class to draft a private member's bill to be introduced to the House, and this is Chelsey's bill.

I'd also like to take an opportunity to thank the representatives of Children's Mental Health Ontario for being here today to support this bill.

Mental health affects all of us. One in five Canadians will experience a mental illness in his or her lifetime, and the remaining four will have a friend, family member or colleague who experiences mental illness. Recognizing the continued need to remain aware and informed on mental health issues, this bill would proclaim the last day of Mental Health Week in every year as Mental Health Awareness Day.

LABOUR RELATIONS AMENDMENT ACT (REPLACEMENT WORKERS), 2009

LOI DE 2009 MODIFIANT LA LOI SUR LES RELATIONS DE TRAVAIL (TRAVAILLEURS SUPPLÉANTS)

M^{me} Gélinas moved first reading of the following bill:

Bill 206, An Act to amend the Labour Relations Act, 1995 / Projet de loi 206, Loi modifiant la Loi de 1995 sur les relations de travail.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The member for a short statement.

M^{me} France Gélinas: The purpose of the bill is to restore the provisions that were incorporated into the Labour Relations Act by the Labour Relations and Employment Standards Law Amendment Act in 1992 and subsequently repealed by the Labour Relations Act in 1995.

The purpose of the provisions being restored is to prevent an employer from replacing striking or locked-out employees with replacement workers. The bill allows replacement workers to be used in emergencies.

1520

BLACK HISTORY MONTH ACT, 2009

LOI DE 2009 SUR LE MOIS DE L'HISTOIRE DES NOIRS

Mr. Balkissoon moved first reading of the following bill:

Bill 207, An Act to name February in each year Black History Month / Projet de loi 207, Loi visant à désigner le mois de février de chaque année comme Mois de l'histoire des Noirs.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The member for a short statement.

Mr. Bas Balkissoon: The history of Canadians of African descent and their struggle against slavery, racism, exclusion and inequality is a significant part of Ontario's history. This bill will give us the opportunity to remember, educate and celebrate all of Ontario's history and the contribution of our black community.

CONDUCT OF HOUSE PROCEEDINGS

The Speaker (Hon. Steve Peters): I just want to take this opportunity to make a couple of comments about members' statements and introduction of bills.

Remember, members' statements are one minute and 30 seconds long. I have given some leeway for some additional time on statements that are not political in any way. I would like to continue to do that, but if we persist in going well beyond that minute and a half, I'm going to have to cut everyone off at one minute and a half.

I would also say, too, just a reminder on the introduction of bills: When you are introducing a bill, what you are to read to the House is the explanatory note and not a member's statement. I'm going to have to get to the practice of making sure that I have this in front of me. If you're not reading from the explanatory note, I will have to call you to order for that.

Mr. Jim Wilson: A point of order, Speaker: I appreciate the point, and it's probably quite parliamentarily correct, but I wonder if there wouldn't be some leniency. Often the explanatory note doesn't really reflect what you're trying to get across in one minute to the audience. In fact, it's gibberish and often legalese because the lawyers do it, and we don't get a lot of say in how the explanatory note reads.

The Speaker (Hon. Steve Peters): Thank you for the point of order from the honourable member. The Clerk has just said that, in the introduction of the bill, it is to be explanatory, but you are not to be engaging in any sort of debate. The debate will happen when the bill is debated for second reading.

STATEMENTS BY THE MINISTRY AND RESPONSES

SMALL BUSINESS

Hon. Sandra Pupatello: I rise in the House today to recognize a group of people who are leading our economy out of the recession. They're the people running the companies that are making the parts, delivering the services and sustaining the workers that enable big corporations to operate, and they're growing many of the innovative firms which are securing Ontario's future economic outlook. I'm talking about the men and women who run Ontario's small and medium-sized businesses, and today we want to congratulate them.

We work with these companies year-round, but October is traditionally the month when we recognize our small business sector. I want to recognize my parliamen-

tary assistant, Sophia Aggelonitis, who is very excited about the small and medium-sized business sector. She comes from this sector herself, and it's such a good opportunity to work with her as well.

As our economy shows signs of recovery, it's our small businesses leading the way. The purpose of this statement today is to make sure that credit is given to the sector where there is that strength. From the Main Street businesses we use every day to the professional practices in technology-intensive, leading-edge firms, it's these entrepreneurs that operate the more than 370,000 small and medium-sized employer businesses in Ontario. And it's these establishments, with less than 500 employees, that together employ about 2.9 million people. They account for approximately \$250 billion in annual economic activity. This is massive.

Small and medium-sized enterprises represent over half of all of the private sector jobs in Ontario, so today, I ask this House to join me in recognizing Ontario's small business sector and the contributions that it makes to our economy.

Small business owners and operators deserve the credit. They take the risks and they put in the long hours, week after week. Our government knows this, and we're doing all we can to help our entrepreneurs weather these tough economic times and build their businesses for the future.

On July 1, 2010, Ontario is proposing to implement the most important tax reform in a generation: the harmonized sales tax, or the HST. Businesses will save over \$500 million a year in administrative and compliance costs alone. Instead of a duplicate process, a harmonized sales tax will mean one set of forms and one payment.

A January report from the Ontario Chamber of Commerce, which represents many, many of these small and medium-sized businesses, said that sales tax reform is among the most effective ways to prepare Ontario for a period of strong economic growth. Remember that over 130 countries have already adopted a single sales tax system.

On top of this, Ontario will be providing \$4.5 billion in corporate income tax cuts over three years. This is historic. The small business corporate income tax rate will be reduced from 5.5% to 4.5%, effective July 1, 2010: another significant move forward.

We'll eliminate the small business deduction surtax, which acts as a barrier to growth. And to help Ontarians transition to this harmonized sales tax, the Ontario government proposes \$10.6 billion over three years in direct payments and personal income tax cuts. This is really important.

Meanwhile, our government offers a range of programs and services to help entrepreneurs establish and grow their business right across our province. We have 57 small business enterprise centres across the province. Our centres, part of the Ministry of Economic Development and Trade, provide access to information, expertise and technology to help entrepreneurs succeed. Twelve regional offices provide direct consulting services to small and medium-sized businesses.

We're working to create faster, smarter and more streamlined government-to-business services while protecting the government and the public interest. Programs like Summer Company, the Ontario secondary school business plan competition—they plant the seeds of entrepreneurship with young business leaders of tomorrow—and initiatives like ServiceOntario and the online Ontario business program guide provide a fast, efficient and one-stop shop for business owners to access the government programs and services they need.

In closing, I welcome this opportunity to pay tribute to Ontario's small business owners and operators. Our government is going to continue to work with this group, with this sector, to create the best possible environment for entrepreneurs here to start and grow their businesses, innovate and create jobs.

The Speaker (Hon. Steve Peters): Responses?

Mrs. Julia Munro: I am pleased to speak on Small Business Month in Ontario, and I'm very happy to honour Ontario's small businesses for the work they do. Small businesses are Ontario's number one job creator: They represent 99% of businesses in Ontario.

As we strive to pull Ontario out of a recession, it will be small business owners and entrepreneurs who lead the way, and it should be a priority for government to do everything it can to help small businesses succeed so that they can create prosperity and jobs.

It's just too bad that the McGuinty Liberal government does not share this view. For six years, all they have offered Ontario's small businesses is more regulation and more tax. The CFIB reports that 77% of their members report the total tax burden as a major concern, and 68% report government regulation as a major concern. This means that the two greatest worries for Ontario's small businesses are government-created worries. It is unfortunate that these issues do not worry the Liberal government or Liberal members.

Every signal this government sends to small business indicates that they have no desire to help. Last March, they established a so-called Open for Business strategy, promising to help small businesses by cutting government regulation by 25% in two years. So far, they have done nothing. Seven months have passed, and the government has not removed a single regulation under this plan. They have not even announced a timeline to remove regulations. In fact, the government has said nothing and done nothing about this plan since its press release in March.

1530

This is why I introduced a resolution in this House calling on the government to cut red tape for small businesses. The House debated my resolution on red tape just last week. I called on the government to honour their promise to cut regulations. What did they do? They voted it down. Liberal members who spoke to the resolution would not even address the issue of cutting regulations. I wonder if any plan to cut regulations still even exists for this government. I would suggest that small business owners in Ontario not hold their breath waiting for the McGuinty Liberal government to take action on red tape.

Yet, we do see that the government is willing to take action when it comes to raising taxes. Less than nine months from today, every service business in Ontario will see an 8% increase in its provincial tax burden. The minister refers to the small business corporate income tax rate going from 5.5% to 4.5%, but businesses know that their clients may face an 8% increase to be able to purchase their services. You do the math. That is going to impact on business in this province.

How many small businesses will go under when the McGuinty government puts in its massive tax hikes? Why is the government changing the tax system on small business during a recession? Many small businesses have actually gone under because of this recession. Why does the McGuinty government want to punish those small businesses who have survived?

All the government has offered small business is a phony Open for Business strategy. It has failed on red tape. It has failed on taxes. Small businesses have given up hope about receiving help from this government. They know that what they need is a change of government. Tim Hudak and the PC Party will offer small businesses that change.

Ms. Cheri DiNovo: It's with pleasure that I stand to honour small business owners, entrepreneurs across this province. I stand to correct a few fallacies and add a few facts.

In fact, small business is responsible for creating up to 90% of the new jobs in this province. Actually, what's really interesting is that this government has in fact let go of a ministry of small business. We no longer have a minister of small business across the aisle. So, for all the hoopla about small business and its importance, they've decided to remove that ministry from the portfolio of cabinet. That's number one.

Number two: Of course, this government has not stepped up and, as my friend from Leeds–Grenville just said, this government is a party of Bay Street, not Main Street. They would know that, if they actually spoke to the proprietors on Main Street and found out what they were thinking, because we have. Here's what they say: "CFIB up in arms against the HST." They know it will, to quote my friend from Trinity–Spadina, "whack" their membership with an added burden of tax and tax collecting. They know it's going to hurt their business, and that's why they are asking for its repeal—not its amendment, its repeal.

TABIA, which represents over 300 businesses in the greater Toronto area, all, to a person, oppose the HST. They do it because they know it's going to hurt their business.

My friend who talked about the red tape—absolutely. Again, this is a government of Bay Street, not Main Street. Why do we know that? Because of their actions. This is the government that brought in onerous regulations, for example, for small butchers over and against large meat processors. It drove some of our small butchers out of business with an extra \$200,000 of added work that didn't need to be done.

The Toronto Board of Health knew that, for example, Karl's butcher shop had been in business 40 years and

was doing a good and safe job. It wasn't Karl's butcher shop; it was Maple Leaf Foods that had problems in their processing. That's what this government stands for—big business, not small business.

We're seeing the same issue with pharmacists. Our small pharmacists are being driven out of business because WSIB clients cannot use them. Where do they need to go? They have to go to Shoppers Drug Mart—big business again, not small business. That's the action of this government.

So what do we call for, as New Democrats? What we call for is a few very basic moves that would show that this government is in fact practising what it preaches. Number one: yes, taxes. Onerous taxes. Ridiculous taxes. We've called for reform to the business education tax because if you're in the 905 area, you pay less than you do in the 416 area. That makes no sense. Our tax laws need to be reformed where it comes to small business.

We need to reinstitute the grant program that our government brought in between 1990 and 1995. You could get, back then, a non-repayable grant to start a small business. In a recession, that helps. We need a grant program for start-ups for small business.

We need to look at regulations and we need to see that they're applied fairly and that big business doesn't get a break where small business gets, to quote my friend from Trinity-Spadina, "whacked," because that's what's happening across industries.

Finally and most importantly, we have to stop the HST. Every small business knows across this province that this is going to hurt them. We have got petition after petition after petition signed by small business owners. If any of the government members walks along Main Street and walks into any of those Main Street stores or businesses, they will hear the same thing. One thinks they haven't. One thinks they aren't listening, because if they were listening they would know what small business and what all the representatives of small business are saying about this regressive and unwanted tax.

What happened to the Ministry of Small Business? Gone. Gone, but not forgotten. What happened to the moves to help small business instead of hurting small business at the behest of big business, which is what has been happening over and over and over again by the McGuinty government?

Finally, we call, with thousands—literally thousands—of Ontarians and thousands of small businesses across this province, to please not move ahead with the HST. Then, and only then, will they be truly small business friends.

PETITIONS

GOVERNMENT SERVICES

Mr. Robert W. Runciman: I have a petition with 4,707 signatures attached to it.

"To the Legislative Assembly of Ontario:

"Whereas the McGuinty government is closing approximately 70 privately operated driver and vehicle licence-issuing offices in Ontario, and it is requested that the Legislative Assembly take a further look at the impact this action will have on the affected communities and to stop the closures from happening;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"It is in our best interest to request that the current private driver and vehicle licence-issuing offices of Ontario remain open. They operate in an incredibly efficient and cost-effective manner that has been proven for almost 100 years, continuing to provide quality customer service excellence to Ontarians. To allow the transition of this service to the government centres is unconscionable and is unacceptable to the taxpayers of Ontario."

I will affix my signature in support of this small business sector in Ontario.

DIAGNOSTIC SERVICES

M^{me} France Gélinas: I have this petition from the people of the riding of Sault Ste. Marie asking for a PET scanner.

"Whereas the Ontario government is making PET scanning a publicly insured health service; and

"Whereas, by October 2009, insured PET scans will be performed in Ottawa, London, Toronto, Hamilton and Thunder Bay; and

"Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine;

"We, the undersigned, petition the Legislative Assembly of Ontario to make PET scans available through the Sudbury Regional Hospital, thereby serving and providing equitable access to the citizens of northeastern Ontario."

I fully support this petition by the people of Sault Ste. Marie, will affix my name to it and send it to the clerks with page Kaitlin.

1540

AIR QUALITY

Mr. Kevin Daniel Flynn: "To the Legislative Assembly of Ontario:

"Whereas the Ontario Power Authority awarded TransCanada a contract to build a 900-megawatt power generating station on Ford of Canada's Oakville property in the Clarkson airshed; and

"Whereas the Minister of the Environment conducted the Clarkson airshed study and found the airshed to be stressed; and

"Whereas a power generating station would add pollutants to" an already "stressed airshed; and

"Whereas Oakville has opposed the construction of a power plant and demanded cleaner air; and

"Whereas the government of Ontario unveiled plans to improve air quality in the southwest greater Toronto area; and

"Whereas the Ministry of the Environment is launching a new task force that will be required to develop and report back by the end of June 2010 on a detailed action plan to improve air quality through the reduction of emissions from local industrial, vehicular and residential sources;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government of Ontario halt the construction of the power generation station in Oakville;

"The government of Ontario commit to a serious and sustainable emissions reduction strategy to clean up Oakville's air, with clear improvement targets and timelines; and

"That the government of Ontario examine the Ontario Power Authority process that allows a power plant to be located in stressed airsheds and residential communities."

I agree with this petition wholeheartedly and will sign it and submit it with Kingsong.

TAXATION

Mr. Jim Wilson: I want to thank David Turner from Green Briar in the town of New Tecumseth for sending these petitions.

"Whereas the hard-working residents of Simcoe-Grey do not want a harmonized sales tax (HST) that will raise the cost of goods and services they use every day; and

"Whereas the 13% blended sales tax will cause everyone to pay more for, to name just a few, gasoline for their cars, heat, telephone, cable and Internet services for their homes, house sales over \$400,000, fast food under \$4, electricity, newspapers, magazines, stamps, theatre admissions, footwear less than \$30, home renovations, gym fees, audio books for the blind, funeral services, snowplowing, air conditioning repairs, commercial property rentals, real estate commissions, dry cleaning, car washes, manicures, Energy Star appliances, vet bills, bus fares, golf fees, arena ice rentals, moving vans, grass cutting, furnace repairs, domestic air travel, train fares, tobacco, bicycles and legal services; and

"Whereas the blended sales tax will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario consumers."

Interjections.

Mr. Jim Wilson: And given the chirping behind me, I'd be happy to start all over again on this petition, but meanwhile I'll sign it. Thank you.

DENTAL CARE

M^{me} France Gélinas: I have a petition from the people of Peel region.

"Whereas \$45 million a year for five years was promised for dental care for cash-poor people during the 2007 provincial election campaign, and the accumulated \$135-million expenditure was approved in the 2008 provincial budget; and

"Whereas so far only \$14 million has been released across Ontario, earmarked for children 14 to 17 years of age, and none assigned to helping seniors; and

"Whereas Peel region is spending \$1.2 million annually from regional funds to help cash-poor seniors in need of dental treatment; and

"Whereas Peel region has a wait list of 3,000 cash-poor seniors needing dental care, and the wait list is growing by 75 seniors a week; and

"Whereas Peel region has 16,000 low-income seniors, many of whom would benefit from dental care which they cannot now afford;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To release immediately the remaining portion of the \$135 million for dental care among low-income families and apportion the money so that Peel region receives a fair share according to population and need."

I fully support this petition, will affix my name to it and send it to the Clerk with Megan.

CEMETERIES

Mr. Jim Brownell: I have a number of petitions here from folks from the greater Toronto area, and they read as follows:

"To the Legislative Assembly of Ontario:

"Whereas Ontario's cemeteries are an important part of our cultural heritage, and Ontario's inactive cemeteries are constantly at risk of closure and removal; and

"Ontario's cemeteries are an irreplaceable part of the province's cultural heritage;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government must pass Bill 149, the Inactive Cemeteries Protection Act, 2009, to prohibit the relocation of inactive cemeteries in the province of Ontario."

As I agree with this petition, I shall sign it and send it to the clerks' table with Kaitlin.

TAXATION

Mr. John O'Toole: I have a petition from the riding of Durham which I'm pleased to present on their behalf, and it reads as follows:

"Whereas Premier Dalton McGuinty is increasing taxes yet again with his new 13% combined sales tax, at a time when families and businesses are struggling and can't afford it; and

"Whereas by 2010, Dalton McGuinty's new tax will increase the cost of goods and services that families and businesses buy every day. A few examples include"—I don't want to mention them all—"coffee, newspapers and magazines; gas for the car, home heating oil," sunbathing, "haircuts, electricity; dry cleaning and personal grooming; home renovations and home services; veterinary care and pet care;" registering your children in hockey, soccer, football; legal services, the sale of resale homes," funeral services, condo fees—Mr. Speaker, the list is so long, I will just relinquish it.

"Whereas Dalton McGuinty promised he wouldn't raise taxes in the 2003 election. However, in 2004, he brought in the" largest tax increase in Canadian history, which costs "upwards of \$600 to \$900 per individual. And now he is raising our taxes again;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government wake up to Ontario's current economic reality and stop raising taxes on Ontario's hard-working families and businesses."

I'm pleased to sign it and support it and give it to Jacob, one of the pages who are finishing up this week.

TAXATION

Mr. Rosario Marchese: "To the Legislative Assembly of Ontario:

"Whereas Ontario has lost 171,000 jobs since October and over 300,000 manufacturing and resource sector jobs since 2004; and

"Whereas many families are facing the threat of layoffs or reduced hours; and

"Whereas, rather than introducing a plan to sustain jobs and put Ontario's economy back on track, Dalton McGuinty and his government chose to slap an 8% tax on everyday purchases while giving profitable corporations a \$2-billion income tax cut;

"Be it resolved that the undersigned call on the Legislature to cancel the scheduled implementation of sales tax harmonization."

I support this petition.

TAXATION

Mr. Bob Delaney: I have a petition addressed to the Ontario Legislative Assembly. I'd like to thank Ron Flanagan and Karen Davie, both of Meadowvale, for having collected the signatures for it. It reads as follows:

"Whereas a retail sales transaction in Ontario should not be subject to two separate taxes, at two different rates, under two sets of rules and payable to two levels of government; and

"Whereas Ontario will implement a comprehensive package of income and business tax cuts in 2010, which will especially benefit working families and retired seniors; and

"Whereas the income taxes of Ontarians will be cut permanently, seniors will receive double their former

property tax credit and other permanent savings will flow to Ontarians; and

"Whereas the cost to businesses to produce goods will go down permanently as embedded sales tax is permanently eliminated from the business cycle, enabling those businesses to lower business costs and pass savings along to their customers; and

"Whereas these measures represent the most comprehensive tax reform in a half century, enabling Ontario to be the most competitive place in North America to create jobs, move, grow and operate a business;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario and the members of the Ontario Legislative Assembly support measures to swiftly enact Ontario's comprehensive tax reform measures, including the move to a single sales tax in Ontario, as proposed in the province's 2009-10 budget."

I perfectly agree with this. I'm pleased to sign it and to ask page Elizabeth to carry it for me.

SALE OF DOMESTIC WINES AND BEERS

Mr. Robert Bailey: My petition is to the Legislative Assembly of Ontario from the Ontario Korean Business Association. The title is "Say Yes to Beer and Wine Sales in Convenience Stores."

"Whereas the province of Ontario restricts the sale of beer and wine to the LCBO, a few winery retail stores and the Beer Store, and the three large beer companies are owned by multinationals;

"Whereas other provinces (notably Quebec) have been selling beer and wine in local convenience stores for many years without any harm to the well-being of the public;

"Whereas it is desirable to promote the sale of beer and wine in a convenient manner consistent with a contemporary society;

"Whereas it is essential to support local convenience stores for the survival of small businesses;

"Whereas it is obvious from the current market trends that the sales of wine and beer in convenience stores is not a question of 'if' but 'when';

"We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Liquor Control Act to permit the sale of beer and wine in local convenience stores to the public throughout the province and to do it now."

I'll send it down with Chantelle.

1550

TAXATION

Mr. Rosario Marchese: "To the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Be it resolved, I am opposed to Dalton McGuinty's 8% sales tax grab and call on the Parliament of Ontario to cancel its plan to introduce a harmonized sales tax on July 1, 2010."

I agree with this petition.

EMPLOYMENT INSURANCE

Mr. Mike Colle: Here's another sweet and short one.

"To the Legislative Assembly of Ontario:

"Whereas the federal government's employment insurance surplus now stands at \$54 billion; and

"Whereas over 70% of Ontario's unemployed are not eligible for employment insurance ...

"Whereas an Ontario worker has to work more weeks to qualify and receives fewer weeks of benefits ...

"Whereas the average Ontario unemployed worker gets \$4,000 less in EI benefits than unemployed workers in other provinces ...

"We, the undersigned, petition the Legislative Assembly of Ontario to press the federal government to" fix the EI mess.

I support this petition and affix my name to it.

TAXATION

Mr. Gerry Martiniuk: This petition comes to me from the Waterloo senior citizens' card club, and it's to the Legislative Assembly of Ontario.

"Whereas Dalton McGuinty said he wouldn't raise taxes in the 2003 election, but in 2004 he brought in the health tax, the largest tax hike in Ontario's history, but he still cuts health care services and nurses;

"Whereas Dalton McGuinty will increase taxes yet again on Canada Day 2010, with his new 13% combined GST, at a time when families and businesses can least afford it;

"Whereas Dalton McGuinty's new 13% combined GST will increase the cost of goods and services that families and businesses buy every day, such as: coffee ... gas at the pumps, home heating oil ... postage stamps, haircuts, dry cleaning, home renovations, veterinary care, arena ice and soccer field rentals, Internet fees, theatre admissions, funerals, courier fees, fast food sold for over \$4, bus fares, golf green fees, gym fees, snowplowing, bicycles, taxi fares, train fares, domestic air travel, accountant services and real estate commissions;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government wake up to Ontario's current economic reality and stop raising taxes, once and for all, on Ontario's hard-working families and businesses."

As I agree with the petition, I sign my name.

The Speaker (Hon. Steve Peters): Orders of the day.

Mr. Jim Wilson: Mr. Speaker, on a point of order: I'd appreciate your giving an explanation when there were just over 30 seconds left when I stood to do a petition and you wouldn't allow me. It started at 32 and by the time

you smirked at me, it was 27 seconds left, so I just want to know why I'm being discriminated against in this case.

The Speaker (Hon. Steve Peters): I would say to the honourable member that I wasn't discriminating against him. I would say that I apologize that I did not see him and assure him that if he's in the House tomorrow, he will be delivering the first petition.

ORDERS OF THE DAY

TIME ALLOCATION

Hon. Monique M. Smith: I move that, pursuant to standing order 47 and notwithstanding any other standing order or special order of the House relating to Bill 183, An Act to revise and modernize the law related to apprenticeship training and trades qualifications and to establish the Ontario College of Trades, the Standing Committee on Justice Policy be authorized to meet on Thursday, October 8, 2009, during its regular meeting times for the purpose of clause-by-clause consideration of the bill; and

That the deadline for filing amendments to the bill with the clerk of the committee shall be noon on Thursday, October 8, 2009. On that day, at no later than 5 p.m., those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. The committee shall be authorized to meet beyond the normal hour of adjournment until completion of clause-by-clause consideration.

Any division required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 129(a); and

That the committee shall report the bill to the House no later than Monday, October 19, 2009. In the event that the committee fails to report the bill on that day, the bill shall be deemed to be passed by the committee and shall be deemed to be reported and received by the House; and

That, upon receiving the report of the Standing Committee on Justice Policy, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading; and

That, on the day the order for third reading of the bill is called, one hour shall be allotted to the third reading stage of the bill, apportioned equally among the recognized parties. At the end of this time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That the vote on third reading may be deferred pursuant to standing order 28(h); and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

The Speaker (Hon. Steve Peters): Ms. Smith has moved government notice of motion number 140.

Debate?

Mr. Robert Bailey: I'm pleased to rise and take part in this most unusual motion—

Mr. John O'Toole: Be outraged.

Mr. Robert Bailey: —outraged as well—that, if passed, will severely restrict the amount of debate of Bill 183, the college of trades bill.

Our concerns with this bill revolve around the fact that it is entirely possible for the current government to stack the college of trades with its cronies or people who may not have the public interest in mind.

Back in 1993, when a similar bill was being debated, there was a certain member of this House, who happens to have a different position today, who asked some questions at that time. He asked at that time, "Who's in charge, who's responsible, who is charged with looking out for the public interest? What the bill purports to do is it says, 'We're going to throw a bunch of people in who represent particular causes, and hopefully, through some mysterious process, they're going to come up with something that resembles the public interest.'" Some people might ask me who that member was—the guy is missing his cue.

Anyway, from Hansard of January 26, 1993, the chair addressed Mr. McGuinty, "Very briefly, please, and I mean it this time." Hansard records Mr. Dalton McGuinty, member for Ottawa South: "Gentlemen, you raise a very good point, I think, which strikes at the very heart of this bill. The question we've got to ask is, who's in charge, who's responsible, who is charged with looking out for the public interest? What this bill purports to do is it says, 'We're going to throw a bunch of people in who represent particular causes'"—

Mr. John O'Toole: Who said that?

Mr. Robert Bailey: The member for Ottawa South at that time, Dalton McGuinty; the honourable member asked. This is from Mr. McGuinty's remarks: "I don't have any faith in that happening. The people charged with representing the public interest are those people. That's what they were elected to do. There's simply no accountability for the directors on" this said "board, and the local members as well, to properly be held accountable."

We agree completely with the remarks of that member at that time. That's why I thought it was important that we get them on the record today. Those remarks were true then, and they're true now. That's why my party introduced amendments to allow for the direct election of working tradespeople to the appointment council of the new college. We believe, on this side of the House, that this college should be run by people who are still working in the trades and making their living from actually participating in the trades, not just by the Liberal Party hacks who are owed some kind of favour by this government.

This government chose not to listen to our well-reasoned amendments. One thing that struck me on the

committee was the very sincere issues raised by workers who felt that, for religious reasons, they would be unable to join the college of trades. It is well-established labour law in Ontario that you can, on religion grounds, object to joining a trade union or belonging to any organization therewith. Certain faiths, in fact, will demand that you do that.

1600

We presented an amendment that would allow for certain religious objectors to join the college of trades. The government members seemed sympathetic, but still said no at the end of the day. There was absolutely no spirit of co-operation coming from the government side, and we decided to do something about it.

Now, we know that government wants this committee to be nothing but a sham process. They will only accept their own amendments and dismiss all others, no matter how much support they have from the stakeholders they allegedly represent. The Ontario Home Builders' Association came to us with what I thought was a very simple request: They asked, "Can you not do an economic impact analysis on what this bill will do to the construction industry?" We have had a long-standing policy in our party of looking at the economic impact analysis of new laws and regulations, but again, the government just wasn't interested in those regulations.

I will come back to some other amendments that we proposed a bit later, but I wanted to bring up some important facts for the House that are driving why we felt we need this bill debated fully in committee.

I was shocked to learn that a Conference Board of Canada study has estimated that by 2025 Ontario could face a shortfall of 364,000 workers. That means that we will be lagging economies that focus more on skilled training. We need more of a plan to deal with the looming skills shortage than a bill that is full of vague notions of forcing trades together.

By the way, most of the details in this bill will be worked out in regulation. That was the answer given to the people who were asking for that religious objection exemption: "Don't worry; be happy. We'll take care of you at the end of the day. Trust us."

The Premier and his minister need to show some leadership on this front. Instead of a college of trades, they should strike a Premier's skills council, with a mandate to develop a provincial skills strategy.

We had many other amendments that are also worthy of mention here. Principally, we wanted a council that was elected by working tradespeople. Self-government can work as long as it is done in an open and transparent way. The college of teachers is an example that our government brought in that had a huge potential. Unfortunately, the college of teachers has been stacked with Liberal appointees who have different ideas of what makes a successful education system. We want to make sure at this time that this college isn't stacked, so we called for an election of tradespeople to the appointments council. We wanted the majority of members to be still working in the trades so that they truly represent the

people and their fellow members. We thought that would give it the balance that it needed.

We are also very concerned that the appearance of impartiality is important, so we wanted to make sure that anyone who was appointed to the appointments council was free of a conflict or any perceived conflict of interest. To avoid a conflict, we proposed that you could not be on the appointments council if you had worked for any labour organization—or any other organization, for that matter—that had received a grant of any sort from any branch of this provincial government. Again, we thought this was fair and balanced, to use words from the media: “fair and balanced.” I like that. The government and their union friends thought differently.

We also proposed an amendment that would have all tradespeople represented. Not just craft unions, but wall-to-wall unions need to be represented as well as non-union tradespeople.

This bill needs to be studied further. The government is keen to use closure when they don't need to. All they have to do is have further debate.

This government desperately needs to fix the ratio of apprentices to journeypersons so that we can close the skills gap and help our people achieve high-paying jobs in the new economy. I would just like to read a few letters that have come to my office about this, and I'll read a few of those into the record at this time.

This one's from Tracy: “Every week, we have people ask us to help them find jobs in electrical, plumbing, heating, air conditioning and other exciting apprenticeships, but with the current ratios, we are unable to help them.”

This is from Ken: “We ask the government to change the province's unfair apprenticeship ratio to allow our young people to enter the workforce as soon as possible. It is ridiculous to put up barriers.”

This is from Rory: “As a long-time member of a variety of job assistance programs for youth, I have long been aware of the frustration of employers and potential apprentices resulting from this ratio requirement in the province of Ontario. It is clear that many more training opportunities would be made available if they would change the ratio.”

This is from Gary: “It has come to my attention that your government has adopted the stand that three qualified electricians for each electrical apprentice is needed. I teach high school in northern Ontario, and your government has just sent many of our students to larger centres down south. Our qualified tradespersons in Cochrane operate on their own.”

This is from Rolly: “Keep doing a good job. The unions are only interested in keeping themselves employed. We're struggling union contractors competing against non-union contractors who do not use any ratios.”

This is from Eric: “I have an electric contracting business that is in dire need of employees. Other electrical contractors are asking my company if we can spare men for them for a couple of days. One large home builder asked my company if I can wire houses for them because they are unable to provide membership.”

These letters go on. There's a pile here. I've got more here. I might read a couple of these into the record just for convenience:

This is to the former minister: “I am writing this letter to express my frustration with the current government regulations under your control and ask you to change them.”

This is another one to the minister: “Licensed contractor ... our business going well ... we have a substantial and ongoing demand of work for apprentices.”

This is another to the minister: “I'm writing this letter to advise you that I had to explain to another potential apprentice that we cannot hire him due to existing provincial government ratios in the electrical trade.”

These letters go on at great length. They all demonstrate the same issue, that people are being restricted in employment and in their opportunities to advance in this economy. We do need to have people trained so that they can take their rightful place in this economy that is developing and evolving over time. This government desperately needs to fix this ratio.

This is from the Canadian Electricity Association. It talks about the human resource crisis:

“According to Canadian Electricity Association, funded in part by the government of Canada, retirement estimates show that over 17% of the 75,000 existing workforce will be eligible for retirement by 2010 and 37% by 2014. We need over 17,000 persons over the next eight years. Over a third of our retirees will be trades-related.”

“The human resource crisis in the Canadian electricity sector: A shortage of skilled labour will have serious repercussions on the electricity sector in a number of ways: reduced reliability, increased costs of production, infrastructure projects delayed, decreased safety and productivity due to less experienced employees.”

I'm going to share my speaking time with a number of members from my caucus and so at this time I'm going to stand down and turn over my time to the member for—

The Acting Speaker (Mrs. Julia Munro): Further debate? The Minister of Innovation.

Hon. John Milloy: It's a pleasure for me to stand today, and as the minister who is responsible for Bill 183, which is basically at the heart of this motion, I'm pleased to stand and put a few remarks on the record.

The motion that's before the Legislature at the moment—and the House leader read through it—is a very lengthy motion, but what it's basically doing is directing the committee to deal with this bill in a rather rapid fashion because it has had a number of hours of debate and send it back to the House so that we can proceed with third reading debate. The reason we are pushing for it is because of the importance of this bill. In fact, this bill deals with a number of issues, ironically, that my colleague from the opposition just raised, a number of very important issues related to apprenticeship and the trade system.

I just want to take a brief moment and provide a bit of context for what this bill is about and its importance in

bringing it forward. I think all of us recognize the importance of the skilled trades sector in the province of Ontario. It really is very much a third pillar of post-secondary education to go into a trade.

1610

We have, right now, about 150 apprenticeable trades in Ontario. They're individuals who are involved in literally building the future of this province. They're involved in the service industry. They're involved in a whole range of services throughout the province, and it's very important that we continue to develop the skilled trades.

The entry point, of course, into the skilled trades is through the apprenticeship system, where we ask young people and others to come in to serve time through on-work experience and also through the classroom experience so that they can become certified in one of these 150 or so trades that are offered right now in the province.

I have said over and over again in this Legislature that our system of apprenticeship, the system of skilled trades, is in need of reform, and I think that's an area where both the opposition and the government agree 100%. There is a variety of areas where we need to take a look at the trades, and some of those have been brought up by opposition members in terms of the recruitment of young people into the trades.

There's the issue of ratios: What's the ratio of journeypersons to apprentices? How are these young people trained?

There's the issue of compulsory certification: In which trades in the province does one need to be a qualified journeyperson? We think of electricians, for example. You cannot practise that trade unless you're a qualified journeyperson. Are there other trades—right now there are about 20 that are compulsory—that should be added to that list?

There's the issue around women. Women are not overly represented in many trades. How do we get them to enter into them?

All these issues relate to reforming our system of skilled trades. The government, under my predecessor Christopher Bentley, had asked Tim Armstrong, a noted expert in this area, to take a look at it. He came back with a recommendation that what we needed to do to overhaul this system was to move forward with a self-regulatory college to bring all sides together and to give them the power and authority to research the skilled trades field, to take a look at a whole variety of issues and to come to conclusions, to give them ownership over it. What we brought forward with Bill 183 is this self-regulatory college, a college of trades, which would do that.

I'll just read some of the key items that this college would deal with: promote careers in the trades and attract more people to them, especially youth and under-represented groups; help make it easier for internationally trained workers to get certified and find work in the trades in Ontario; set training and certification standards to serve the skilled trades sector in the public interest; conduct research to help make sure Ontario trains the right workers for the future; and finally, give the skilled

trades sector ownership of critical decisions on issues such as compulsory certification and apprenticeship ratios.

These are all very important issues for the future of skilled trades in this province. We see the college as being this level playing field where all sides can come together and make decisions which are going to strengthen trades, which are going to bring more apprentices into the system and make sure that Ontario is prepared for the future.

I find it passing strange that the opposition, which has been standing in this House in question period and other debates and asking for action on these areas, asking for the type of reform that the college promises, would be holding it up in committee. We had no choice as a government but to bring forward this motion which, despite its length, is basically saying that it's time for the committee to finish their work so that the Legislature can deal with this bill on third reading and we can move forward to reform the apprenticeship system.

I urge all members who worry, who are concerned about the future of apprenticeship, about the future of skilled trades in Ontario, to support this motion so that we can go on to establish this very important new institution for the future of skilled trades in the province of Ontario.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Rosario Marchese: I want to say that time allocation motions are always complicated for the opposition. Whether it was Liberals in opposition or now Tories and then the NDP in opposition, we tend not to support time allocation motions. That's just the way it is. What it does is cut off debate on anything that is before us. This is something interesting, of course, because it comes out of what is happening in committee, and through a procedural motion which the Conservatives are using it is slowing down the process of dealing with the amendments.

I have to say that Liberals use that practice, Tories have used it, New Democrats have used it; we've all used it. It just depends where you are in the rotational system around here. So it's really very difficult for me to say, "Ah, the Tories are bad because they're using a tool, and the Liberals are good because they're moving time allocation." I just want to say to the citizens of Ontario that Liberals have done this too in the past—

Mr. Mike Colle: The NDP—

Mr. Rosario Marchese: And we did too; I already said that. We have all used the rules differently, depending on the position you have in the Legislature. I just wanted to say that for the record.

What the Liberal government does, conveniently, is use members who are new to make these arguments so they can say how outraged they are; they're in committee, working so, so hard, sitting there and raising their hands at the appropriate moment, and working so hard and wanting to get the job done that they're outraged by the tactics used by another political party. It sounds all so

good and so sincere, because the new members don't know. The cabinet ministers throw these new members to the dogs and say, "Okay, go get them." And then, of course, they write their speeches, and so you read them out. The new members can sound so persuasive, so convincing, so sincere—

Mr. Jeff Leal: And eloquent.

Mr. Rosario Marchese: —and at times, even eloquent, dare I say it—at times. That's what I wanted to say for the record.

You will notice they don't use experienced people to make these arguments. If they used experienced people, we would all be laughing on this side, saying, "Of all people, you're the one that they selected to make that argument? Don't you remember when you were...?" So that's why they don't use the experienced members, right? Just for the record, so that you new members know, and those citizens and taxpayers who are watching get the benefit of the full range of opinion as we move around this place, I wanted to say that.

The Tories are using a tool in committee. After an amendment has been dealt with, they want to reflect on the amendment, so they cite the relevant section, saying, "We want 20 minutes to reflect on the profundities of this amendment" and off they go to reflect on the seriousness of the amendment, the depth of it. Then they come back and they move on to another amendment. Of course, there's another amendment, and again the Conservative members say, "We need to reflect once again on that amendment, because we really need time, more time, another 20 minutes, to reflect on it," and off they go. That's the routine, right?

It can be awfully irritating, I admit, even for those Liberal members who have to sit there and say, "Oh, God, now I've got stand up or sit here for another 20 minutes and not do anything." It's tiring. It's exhausting, just to sit there for 20 minutes.

What do I do to stave off the exhaustion? I just get up, go to my office, do some work and come back again as if nothing happened. It feels great. But most of the Liberals are stuck there and they have to sit through it. God bless. What are you going to do? That's the nature of the job. They pay you to sit there every now and then for the whole afternoon, but that's what you get paid for. It can be rough—I understand—but that's the way it is.

They are using the tools that they have to disagree with the government. I happen to disagree with most of the disagreements the Conservatives have with this bill, but that's a different matter. We are not debating that. That's not the issue. I really didn't want to debate the bill so much as why we have to deal with this procedural motion that is before us. That's really what we should be debating. But, God, you've got to spend 40 minutes to speak on it. You say, "Gee, what am I going to say?" Right? So you've got to reflect on what you're going to say.

I needed to tell the citizens that the Conservatives are using the rules and they have a right to it. Even if I disagree with it, they have a right to it.

Of course, the Liberals say, "Hmm, this could take a while. If they keep doing this, if you do the math, we could be here until November or so." So the Liberals—

Mr. Shafiq Qaadri: What's the NDP going to do?
1620

Mr. Rosario Marchese: I was very helpful, actually. I'm just trying to do my best to be, you know, part of the team. It's bad when you're co-operating so much with the Liberals, because people say, "Oh, gee, I don't know."

Interjection.

Mr. Rosario Marchese: I'm awfully nervous that my friend the member from—where is he?

Mr. Kevin Daniel Flynn: Oakville, Ontario.

Mr. Rosario Marchese: Oakville. Kevin might say some nice things about me, and I say, oh, Jeez, I don't know if I can handle that. I'm not sure it's a good thing. So I don't know. Keep that to a minimum, because I don't want people to think that somehow I'm too nice to you guys, right?

The Liberals have decided that it will take too long if we continue on this track, so they've introduced a time allocation motion, which is within their rights to do. We might disagree with it, as we do, but everyone has tools at their disposal to express a desire of support or a desire of opposition. That's what we're doing in this place.

The Tories have already stood up to say, "We've introduced a number of amendments that the government has rejected, and that's why we're really nasty with the government, so that's why we're using the tools to express our dissatisfaction"—I'm assuming. They could have other beefs against the government. God knows there are many. The harmonized sales tax is a biggie, and I happen to agree with the Tories in this regard.

Mrs. Carol Mitchell: You agree with the Tories?

Mr. Rosario Marchese: Yeah, God bless. It's beautiful to listen to my friend Robert Runciman from Leeds-Grenville, who says that the harmonized tax is about Bay Street, not about Main Street. I thought, "This is brilliant. He sounds like a New Democrat." That's why I love them when they're in opposition, right? Because they—oh, here he is. Bob, I was just quoting you. Did you hear me or should I repeat it?

Mr. Robert W. Runciman: Repeat it.

Mr. Rosario Marchese: Just for the benefit of the member from Leeds. He said the harmonized sales tax is about supporting Bay Street and not Main Street. I turned around and said, "I agree with you absolutely," and I said, "except that New Democrats mean it and you don't."

Mr. Robert W. Runciman: You shouldn't be so cynical.

Mr. Rosario Marchese: But we agree. We agree on this. That's why I say that when they're in opposition, we have so much in common. It's amazing. We've taken on this harmonized tax together. I thought maybe that's why they're using this tactic in committee: to express strong dissatisfaction to the government, saying, "We're going to punish you because we disagree so much with the

harmonized tax that, in committee, we're going to use all the tools at our disposal to make sure we slow this process down, bring this place down."

Interjection.

Mr. Rosario Marchese: Maybe. I don't know, but it's a way of expressing your feelings, right?

You might disagree, because I know you guys have so many facts at your disposal, and "All the research shows that this harmonized tax is going to create jobs." It's a laughable thing that you can say it. But you've got a whole lot of research and you've got a whole lot of cheerleaders, both new members and old members, saying, "This is really great. This is going to modernize our tax system."

That was another laughable remark: "This is going to modernize our taxation system." How does that modernize it? How is introducing a flat tax against the working people who earn anywhere from \$25,000 to \$50,000 or \$60,000 going to help those people? How progressive could it be, and how does modernizing it help you? So I'm with the Tories on this one. If that's why they're using the tools, I say, "Okay, I can handle that."

But maybe there's another reason. Obviously they disagree strongly with the direction of the college of trades. It's very clear from the amendments they're introducing that they don't like the bill. It's very obvious to me. I have to admit that I support the bill.

Applause.

Mr. Rosario Marchese: Please don't clap, because I don't do that.

Interjections.

Mr. Rosario Marchese: Yes, yes. No, I don't want that.

I support the direction that this bill goes into—and we've introduced amendments, some of which they are accepting and many of which they are rejecting, which is typical of what they do on the whole.

To be fair, I think they're accepting two amendments that we made, which is a big deal, because they rarely support amendments; they do. They hardly ever support amendments. That's why I get so upset in this Legislature, because rather than throwing a few crumbs to the opposition and saying, "Here you go, Rosie," or "Here you go, Bob; we've got a few crumbs for you," rather than doing that, they crush you each and every time. They don't have to do that. All you have to say to an opposition member is, "Here you go," and then we feel, "Ah, this is great. They listen to us." So instead of criticizing them 100%, then we criticize them maybe 70%, 80% of the time. But there's so much benefit to giving in a little. I'm not saying give in too much, because that would be wrong, but every now and then do it. They've accepted two of my amendments. Imagine how good I feel because they throw you those crumbs. But they don't do that too often. We support the general direction—

Mr. Kevin Daniel Flynn: They were good amendments; they weren't crumbs.

Mr. Rosario Marchese: But what I'm saying is that we often introduce good amendments that are rejected,

but in this case it happens to coincide with your interests. You know, that's fine.

Mrs. Maria Van Bommel: You were of a like mind.

Mr. Rosario Marchese: Every now and then we are of like mind. We are not of like mind on some other amendments which I made. Just to give you one—we'll have time in the third reading debate for me to have the full hour, because it's not about that today. One issue, and the minister talked about this briefly: He said proudly that we have 150 trades, but most of those trades are not in the traditional sense trades. You see, that's why Harris, God bless him, separated the original act and created two separate acts, the Trades Qualification and Apprenticeship Act and the other one, the Apprenticeship and Certification Act. He did that for a purpose, and that was to separate the genuine trades from the other skill-set trades, which means what you would do is fragment the real trades into little pieces, and then you call them trades.

One of the amendments we had introduced was to say—and the OFL, the Ontario Federation of Labour talked about this—create a new division and a clear division that says authentic trades and skill-set occupations. The idea of authentic trades is that you've got to go through an apprenticeship program. Most of these apprenticeship programs take anywhere from two to four years, if not longer, and yes, it involves those ratios that the Tories are so upset about. But the authentic trades means you've got to go through a rigorous program, and at the end of it we say, "You're certified." It's authentic; it's a real trade. If you separated that in that way from the other occupations, which are the fragmented skill-set trades, then you would be able to say to the people that they're different types of skill sets, different kinds of so-called trades. But the government has decided, in its Liberal wisdom, not to do that, so they lumped them all together, the skill-set ones versus the authentic trades.

You'll recall, because in the past I beat you guys up, and the minister, too, when you funded the telephone operators, remember, in Ottawa in particular? And you gave them \$5,000 apiece just to train, and all you do is answer phones.

Hon. John Milloy: Rosie, WorldSkills had a competition; that was recognised at the WorldSkills.

Mr. Rosario Marchese: That to me, Minister, was not a trade, I've got to tell you. You don't classify it as a trade. It doesn't even fit as a trade. That's why I attacked it at the time, because it was literally a way of giving money away to a corporation, and then, by the way, at the end of it they just closed shop and left. So we gave them millions, I think it was up to 12 million bucks, and then they closed shop, gone, with all of those beautiful trades that we gave them. They just left—gone.

Hon. John Milloy: People went on to find jobs.

Mr. Rosario Marchese: They went on to find other jobs answering phones: "Hello."

Interjection.

Mr. Rosario Marchese: But, Minister, come on. The citizens watching this and the taxpayers, they are as out-

rated as I am. Please, don't call answering phones a trade. It doesn't make any sense.

Hon. John Milloy: It's not answering phones; it was tech support.

Mr. Rosario Marchese: You've finished your remarks already. You needed more time, for God's sake.

Member from Oakville, could you throw him back some time? Because he wants to respond to what I'm saying. He deserves time.

Interjection.

Mr. Rosario Marchese: I understand. Give him more time so that he can respond because I can see he wants to engage me. That's okay. I've got no problem with that.

So I say that was one of the amendments that I put forth, which they rejected.

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Mr. Jeff Leal: I've never seen him so excited.

Mr. Rosario Marchese: The minister, yes, I know. It's true. He's excited today.

So I introduced that amendment, and of course, they rejected it. I understand. They want to continue to expand the nomenclature "trade," and make it appear like, "Oh my God, we have 150 trades. This is really good." But the point is it's deceptive. It's deceiving to say that we have 150 trades, because they're not authentic in the sense that I described to you.

You see my point. I didn't want to get involved too much in the details of the amendments, but I wanted to mention one. I do say that, with respect to the objects of the bill—and the minister touched on this—it's really hard to oppose it on the basis of what's here. "The college has the following objects: to establish the scope of practice for trades; to regulate the practice of trades; to govern the members of the college; to develop, establish, and maintain qualifications for membership.... ; to promote the practice of trades"—which I hope they will do, because the government, so far, has done a poor job of promoting the trades.

You've got to admit, Minister. I think your government has done a poor job of promoting the trades, and if you don't admit that, maybe the member from Oakville can tell me how it is that you have promoted the trades in the last four or five years that you've been in government. And don't tell me that the way you promote it is by saying, "We have 150 trades versus the 110 that we used to have."

Hon. John Milloy: We have 60,000 more apprentices.

Mr. Rosario Marchese: Yes, but the 60,000 more apprentices, if they include telephone operators—right?

Mr. Kevin Daniel Flynn: You're getting obsessive about the telephones.

Mr. Rosario Marchese: But I wanted to tell you that if the college is going to promote the trades, this is good. It's really good. I know that a lot of Conservative members who come from the trades sector like that part of it. I'm convinced they do.

I believe the college can do it better in terms of promoting the trades, but they should not be doing it exclusively. The minister has to do something publicly

about recognizing and valuing what the trades do for all Ontarians, and they have to work together in making sure that that promotion happens.

"To establish apprenticeship programs and other training programs for trades including training standards, curriculum standards and examinations; to maintain a public register of its members; to determine appropriate journey person to apprentice ratios for the trades subject to ratios"—and by the way, that particular one is the subject of some contention with the Conservative Party. They always wanted to eliminate that ratio of three to one or four to one and make sure that it's a one-to-one ratio. That's really what Tories want. They want a one-to-one ratio of apprentices to journeymen, and in some cases it doesn't work. Maybe the member from Oakville, given his trade, can speak to that. In some cases it doesn't work. For the purposes of safety, you may need two or three journeymen, depending on the type of work you're doing, in order to give us all the protection we're looking for.

I don't believe it's the ratios that are causing the problems of the lack of trades. It's not that. I think the Tories have it all wrong in this regard. But the point of it is that this college is going to have people—true, they're going to be appointed by an appointments council, which is problematic because people will say, on either side of the fence, "Can you trust them? Who appoints the people on the appointment council, how neutral are they going to be, and can we trust them?" So I understand that part. That's why I believe that some of the employee reps should come from the trades themselves; they should be nominated by the trades.

The government doesn't support this, but they should be nominated by the trades and should be rubber-stamped by the government, the appointments council in this case. Why? Because in this way you at least ensure those who are affected—and in this regard I'm talking about the trades—are engaged meaningfully through the selection process of people they want to be on the various structures that you've created, in the various governing councils that you've created. I believe that would have been a good thing and it's still a good thing to do. That has been rejected. But at least the objects of this bill are things that we, as New Democrats, can support. We'd like to make it stronger, and some of the amendments helped to get us there, and other amendments that I have talked about, only two, have been rejected. That's not a problem; I understand where Liberals are coming from.

Then, of course, you've got to deal with the public and those constituencies that are affected by way of the fallout. The government has to deal with that, and so do opposition parties, of course. The general direction of this government, through this bill, is something that we can support.

"To receive and investigate complaints against members of the college and to deal with issues of discipline, misconduct, incompetency and incapacity.... To address compliance issues in respect of matters within the jurisdiction of the college." In this regard I have to say

that the compliance issue could be made stronger, and the Liberals have been unreasonable in this regard. There are a number of amendments that have been made by the Coalition of Compulsory Trades in Construction, and that includes the Electrical Contractors Association of Ontario, the Mechanical Contractors Association of Ontario, the Ontario Refrigeration and Air Conditioning Contractors Association, the Ontario sheet metal contractors' association, the International Brotherhood of Electrical Workers Construction Council of Ontario, the Ontario Pipe Trades Council and the Ontario Sheet Metal Workers' and Roofers' Conference. They talked about an amendment that says, "promoting and ensuring compliance, with restrictions on prohibitions on the practice of trades, journeyman-to-apprentice ratios and the use of titles."

They talked about promoting and ensuring compliance. None of the amendments that have been introduced by the government, after listening to many of these deputations, deal with promoting and ensuring compliance. I think they should have done that. I think they could have done that. I don't see any downside in accepting those amendments, but sadly the government refused to accept that particular one. It's just a way of suggesting that opposition parties make amendments, and sometimes they're supported and sometimes they are rejected.

They supported the idea of including apprentices as membership to this college, and every deputation that came forward said that apprentices should be part of this college. We had that amendment and so did the government. Clearly, in that regard the government was listening and had to listen. As a result, they too included that as one of the amendments, and in this case you could argue that the Liberals are accepting my amendment but they had their own.

"To provide for the ongoing education of members of the college ... to work with other governments in Canada and the minister with respect to the interprovincial standards program for apprenticeship and with respect to qualifications required for trades ... to conduct research in relation to trades," and by the way, the whole idea of conducting research is a good thing. I would hope they would conduct research not just within Canadian jurisdictions, and not just in Canada as it relates to Quebec. Quebec has been one of the most progressive of provinces with respect to the issue of training. But I think you should go to Ireland, I think you should go to France, I think you should go to Germany and do that kind of research there and learn from the long history of training and apprenticeship programs that those countries are involved in. And Quebec: I've often used Quebec as an example. I even had my own resolution, which was rejected both by Liberals and Tories in this Legislature.

One of the ways that Quebec has dealt with a shortage of trades was to force corporations that have earnings of over \$1 million to contribute 1% of their income to training, and that included even small businesses as of a year ago. Imagine how progressive that is.

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Of course, the Liberals and the Tories were both against it saying, "Oh, how that would hurt the corporations. Oh, how bad that would be. We can't do that." I argued, why can the corporate sector not take some responsibility for training? Why is it that some corporations do it and others don't? One of the reasons why some corporations are not doing it is because they can easily poach workers from those companies who are doing the training. But that's not a very valid system. It doesn't work. That encourages some corporations to say, "Why should I invest in training when my workers are going to be taken or stolen by another corporation who's not investing the time or the money?" But some of the corporations recognize that in order to keep their own, to keep them there, they've got to do ongoing training and retraining of their members. This is a good thing.

Why wouldn't some of those corporations who are losing their trades because of age, because they're retiring and there's nobody that's going to replace them, be themselves promoting the training and retraining of their membership, so that they could fill in the vacancies as they happen year after year? So many are retiring just about now and in the next couple of years, they're going to be short of some workers.

Why is it the obligation of government to have to do the training? Why are we solely responsible for the training, was the argument I made. Surely the corporate sector has a shared responsibility to do training. Quebec is leading the way. Quebec picked up that idea from Ireland and France. They've been doing it for years. Why is it that we are so slow in picking up good ideas when other countries have done it so successfully for so many years? Why does it take us so long? Why do we reject good ideas?

There's a component here that says "conduct research in relation to trades," and I think that's good. If they can do some good research and then implement it for themselves, God bless. It can only be good. This college, even if it doesn't accept all of the recommendations I or New Democrats have made, is still important to have, because once it's established, it can be improved.

There were people who argued that the college of trades is a difficult name in and of itself because "college of trades" is confusing. I felt they had a good argument to make because the first time you hear "college of trades," you think, "Oh, it's another college" like Centennial College, let's say, or Seneca, and this particular college deals with trades—easily confused with that, I felt.

We proposed a name change. The OFL recommended a name change. I proposed it, and it was rejected by the government. That's the way it goes. Different folks have different ways of reacting and responding to these bills, and we do our best to make them as effective as we possibly can.

So just as a brief recap, the Tories are using the rules in committee and I say, God bless. Use the rules that you can to make the point you want to. The Liberals have introduced a time allocation motion to stifle that debate

and that tactic and, God bless, the Liberals are using their power and the rules to be able to do what they feel they need to do.

I support the direction the government is going in with the college of trades, but we remain steadfast as New Democrats that time allocation motions, in general, cannot be supported by us because stifling the tools that opposition parties use to be able to defend their points—those are something that they need to keep in order for us to be able to do our job effectively. So I will not be supporting the time allocation motion.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Mike Colle: I'm here in regard to an act to revise and modernize the law related to apprenticeship training and to create a new college of trades for Ontario. This is an act that was introduced on May 13 of this year, so it's been before this Legislature since May. The minister talked about it last September, over a year ago. He also commissioned a study to find out what should be done. The study was done under the auspices of Mr. Kevin Whitaker, who's a labour specialist, and he recommended the implementation of this college of trades. So there's been a lot of material before the House, before all sides.

But as you know, this is a time allocation motion, and the reason it's here—as the member for Trinity-Spadina said, the opposition Conservatives are using a stalling tactic by calling multiple recesses of 20 minutes each. It's their right to do that at committee, but it's kind of rich when the Conservatives then come here and say, "Well, we can't debate." I don't call calling recesses giving them the ability to debate. In other words, they don't really want to debate. They just don't like this bill because they don't support the establishment of this new mechanism to train and recognize young people who want to go into the trades.

So it's their right to say that they disagree and to use stalling tactics, but let's get the record straight: They've been filibustering in committee by continually calling recesses and stalling progress on a bill that relates to jobs at this very critical time, especially for many of our young people who are looking for retraining.

All you have to do to see how popular retraining is—you can see the uptake on the new Second Career program, a program where we said that we were going to offer money to people going through retraining, up to 20,000 people over three years. Well, we've already reached I think about 23,000 people in the first year. It's been so overwhelmingly popular because people do want to work, they want to get trained, and Second Career is a great success.

This college of trades is so critical because it will increase the positive profile of the trades and the tradespeople we have in this province. For too long, our young people and our media in general have tended to marginalize our tradespeople, who are critically important and who perform so many vital functions in our society. Whether they be plumbers, carpenters, formers or mech-

anics, they are critical to the success of the Ontario economy and Ontario society.

The elevation of these trades into this body is going to be of great importance to people seeking employment through an apprenticeship program or a trades training program. It's going to encourage more people to enter the trades, and that's a good thing because there are many good, high-paying jobs. Industry needs them, our cities need them and our hospitals need them. Therefore, it is critical that this bill comes to fruition, because it has been before us for over a year—almost—and it's being stalled at committee.

The bill is a good economic bill. It's got some challenges because it's something new, but we've had the guidance of Kevin Whitaker. It's something that's very tangible, very practical, and needs to be supported as we provide more employment opportunities for young people, who are constantly coming to our offices looking for employment.

In the riding of Eglinton-Lawrence, a lot of young people are going into plumbing and carpentry. They think there are good careers there, and I encourage them to do that. This will help and will reinforce their apprenticeship opportunities. That's why the number of apprenticeships is increasing, almost doubling what the Tories used to have, on a yearly basis.

I'll give you an example of how dramatic the change is in apprenticeship. There's an incredible success story of a tradesperson who has opened up her own mechanic shop. I don't know if you've heard about this amazing lady. Her name is Jessica Gilbank. She operates a company called Ms. Lube at the corner of College and Bathurst. She is a mechanic, fully trained, a Mercedes-Benz mechanic, for 12 years. She is the head of the company, and she has four mechanics, all women, and they operate this incredibly successful mechanic shop, repair shop, and it employs nothing but women.

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She has more than enough business. I think she's going to open up franchises all across North America, she's so successful. This is an example of the new type of people who are getting into the trades. Ms. Gilbank is a perfect example of that. She operates Ms. Lube by what she calls Mechanchik.

Anyway, this bill is about new horizons, new opportunities; it creates jobs, especially at this time of a downturn, a slowdown. Young people need the jobs. People are saying that the government should facilitate apprenticeship training, make it more in tune with the reality of the workplace. This is a bill that needs support. It doesn't need to be stalled with games at committee that go on and on. It has been before us for over a year, so it's time to get on with getting these young people the jobs and not to play games in committee. That's why we're trying to get this bill done, so we can get these young people working. We should not stop them from getting the jobs they need to keep paying their rents and their mortgages and putting food on the table.

I fully support getting on to having this bill getting passed. It's a good bill. It has been studied. It has been

supported by a lot of stakeholders. Let's get on with the job.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Robert W. Runciman: Just a few brief comments on the legislation and the impacts: I want to talk about the makeup of the board at the college, the people who are going to be involved, and really what's behind the creation of the college. That is a significant concern of the official opposition, the Progressive Conservative Party of Ontario, despite the comments from the member from Trinity-Spadina, Mr. Marchese, questioning our motivation.

It always puzzles me when Mr. Marchese speaks in the House. He devotes the bulk of his time to criticizing a government that was in place over six years ago rather than devoting his efforts towards the government of the day. I often wonder if he shouldn't be crossing the floor, because it boggles the mind with respect to the role we play in here and the pressures he faces in his own riding, but for whatever reason, he seems to be, I don't know—"obsessed" may be the proper adjective with respect to Mr. Marchese and his continued focus on the past. Certainly we criticize the government, as his members do, with respect to the Liberal government's focus in question period and other areas and debates as well on the past, so it's a bit of a contradiction on his part.

But in any event, I don't want to spend too much time on that—

Mr. Mike Colle: Say it to his face, Bob.

Mr. Robert W. Runciman: I'd be glad to. It's in Hansard. I'll be glad to. He was saying things about me when I wasn't in the building. He kindly repeated them, but he knows my view. I've said it over the course of debates in here, my concern about his emphasis on the past instead of what the current government is doing or not doing to benefit the people of Ontario.

In any event, shutting down debate on this—the member who just spoke, representing the governing party, suggested that this was because of our tactics in committee.

Speaker, as you well know, there are a very limited number of tools available for the opposition when they're dealing with a majority government in this place, and we have to look at all of those tools available and utilize them to the degree we feel is appropriate. I guess we can't criticize the members opposite for questioning our motivation with respect to that, but I can tell you, from our perspective, we are doing what we believe is right, what we believe we have to do in terms of putting our concerns on the record and putting an exclamation point behind them.

One of our big concerns about what has actually been the catalyst behind the creation of this college is the relationship between an organization known as Working Families and the Liberal Party of Ontario. We have a complaint, Madam Speaker, which you may not be aware of, going before judicial review with respect to the fact that we believe Working Families has acted as an agent

of the Liberal Party of Ontario. When you look at the makeup of the college and the people who will be involved with making decisions related to ratios and really, in essence, having virtually complete control of apprenticeship programs in Ontario, ratios etc., I think we have cause for concern. If you look at the people who were involved in Working Families, who in the 2007 election spent more in advertising in support of the Liberal Party of Ontario than the Progressive Conservative Party spent in that election, that's pretty significant. I believe it distorts democracy in this province and is something that we should all be concerned about.

So take a look at the people involved in that in relation to the college and the role that representatives of these organizations may play in the makeup of the board, the decision-making authority on this board. There are significant contributors to Working Families: the Canadian Auto Workers, the International Brotherhood of Boilermakers, the International Brotherhood of Electrical Workers, the Ontario Pipe Trades Council, the millwrights, the painters district council, the International Union of Operating Engineers, the building trades council. These are people, Madam Speaker, whom we believe will play a role, and we believe that this is, again—and you may rule me out of order—let's just say an agreement. I don't want to be ruled out of order, so I'm going to use polite language here with respect to support given and whether this is in the best interests of the province and the best interests of people who want to enter into the trades. That's the big issue here, whether it's protecting the interests of certain groups and certain organizations in the province versus the good of the province in terms of having an adequate number of trained people to meet the needs in the trades going forward. That's our big concern.

I don't want to go off the subject, but one of the key players, of course, Pat Dillon, who was co-chair of Working Families—we saw his name in the press recently as someone signing Steve Mahoney's expenses, the \$140,000 man at the WSIB. That's a part-time job, but I think it gives you an indication of the infiltration of individuals very actively involved in Working Families, entrenched in boards of this government.

Mr. Mike Colle: On a point of order, Madam Speaker: I'm just wondering if the member is speaking to the item before us, which is the closure motion. He seems to have wandered way off into right field on this, and I would ask him to keep to the issue of the closure motion before us.

The Acting Speaker (Mrs. Julia Munro): I ask the member to continue.

Mr. Robert W. Runciman: Thank you. The member who interjected should go back and read Hansard with respect to his own comments. I guess this must be getting under their skin because they know what's happening here is wrong, if anyone here really cares about democracy in this province, the distortion that's occurring as a result of the involvement of a third party in a very significant way. And if you take a look at activities that

have occurred subsequent to those elections—legislative decisions, appointments to boards, influential appointments with respect to decision-making, whether it's workers' injuries and WSIB, and a whole range of other areas where I think our concerns are with respect to the college, the makeup of the board of the college, the decisions that they will be taking and the significant control they're going to have over apprenticeship programs—I think that we have a very legitimate right to be concerned, a legitimate right to use the tools available to us to deliver that message not only to members of the government but to the public at large who, at this point in time, have very little awareness of the role Working Families plays in influencing the current government.

1700

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Kevin Daniel Flynn: It's a pleasure to join the debate on Bill 183 and on the time allocation motion that we have before us. Having spent a day last week in the committee and watching some of the activities that took place, it was interesting to hear the speakers from the Conservative side of the House trying to justify their actions and trying to dress up those actions as somehow having some sort of a noble intent.

There's an appetite for change within Ontario today. There's an appetite for change amongst the apprentices, amongst the tradespeople, amongst the trade unions themselves and amongst the employers of this province. They want to see the shortage of skilled trades addressed in this province. The way we're trying to address those is to form a college of trades to finally give the recognition to the trades that they deserve.

When you look at all the career choices that a young person in this province could make today—physicians, for example, have their own college, teachers have their own college and lawyers have the law society. Why would you not have a college of trades if you're trying to promote the trades amongst young people?

Let me tell what you took place last week because certainly what took place at the committee is within the rules. The rules allow for a 20-minute recess before a vote is taken. The intent of that, I'm sure, when those rules were put into place was that if something unanticipated had arisen, some new information had come forward, it would allow the committee to go back and spend some time on its own, caucusing on the issue.

What was happening at the committee the other day was that every time a vote was called, the Progressive Conservative Party asked for a 20-minute recess. Now, it got so absurd—it just showed they hadn't done their homework—they called for a 20-minute recess on their own amendment. You would think that a party that had put forward an amendment to be heard formally by a standing committee, to be addressed by that standing committee, would be prepared. But no, instead they had to go and have a 20-minute recess or a caucus somewhere. I don't know where they went.

Mr. Jeff Leal: They were all in the room, Kevin.

Mr. Kevin Daniel Flynn: They were all in the room. They could have talked to each other, but they didn't.

Now, when you contrast the childish activity that took place at the committee on that day with the member from Trinity-Spadina, a member of the opposition who doesn't agree with everything that's going on but who agrees with the basic tenets of the bill, I think, and the concept behind the bill, he was progressive enough to come forward with some suggestions. The government thought that two of the amendments made the bill better, and we supported them. That's what the opposition—

Interjection.

Mr. Kevin Daniel Flynn: I hear somebody from across the hall talking about payoffs to unions. You can choose to work with the trades, you can choose to work with the unions, you can choose to work with the employers of this province, or you can get involved in the childish activity that you and your party exhibited last week which did absolutely nothing on behalf of the taxpayers—

The Acting Speaker (Mrs. Julia Munro): I'd ask you to make your comments through the Chair, please.

Mr. Kevin Daniel Flynn: Well, I was. My finger was crooked. I'm sorry, Speaker. I was pointing that way.

Anyway, there's a vehicle now to address some of the concerns that have been raised over the years by both employers and trades, and that's ratios, that's compulsory trades versus voluntary trades. It can all be addressed now because a vehicle is being put in place that, in a balanced way, will be able to address those issues.

The members in the Conservative Party don't want to see a balanced way of addressing them. They want to have their own way. Instead, what we're saying is that we respect the trades, we respect the employers. We understand that there's enough expertise within that field that they're able to deal with these issues themselves, that if a group of reasonable people from management and labour can sit around a table, they will be able to come to agreement on how the trades should be governed. We have trust in the trades in this province. We have trust in the employers in this province. The Progressive Conservative Party does not, and that's a shame. It's unfortunate.

I'd like to commend the member from Trinity-Spadina for his activities at the committee. He was critical of the government at times and he was complimentary to the government at times. I think he presented the bill in a way that proved to be a reasonable piece of legislation that deserves passage.

There are some great amendments that have been put forward from the government and from the member from Trinity-Spadina. We got maybe halfway through, but let me tell you that as a result of the Conservative's action the other day, there are 59 amendments in total. Twenty-three of those amendments came from the government; 31 of those amendments came from the NDP, so they obviously did their homework; five amendments came forward from the Conservative Party, and they had to have a recess after each and every one of them. You tell

me that's doing their homework. In total, they called 12 20-minute recesses. Under the guise of working on behalf of the taxpayers of this province, they had to have 12 20-minute recesses. Where they went, I don't know. Back to their office, out for a coffee, out for a smoke? I have no idea, but what they weren't doing was sitting at the committee table and they weren't working on behalf of whoever they purport to represent and the other people in this province who have an interest in this issue. It was a shameful display. I hope that by supporting this motion today we put an end to it and we're able to move on, on behalf of the apprentices, on behalf of the journeypersons who are involved in the trades, the employers in the trades and the young people today who are considering perhaps getting into a trade. This is a good way of doing it. It's the way that we should be doing it. I would ask for all members of the House who support and trust the trades and employers in this province to support this bill and allow it to move on.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. John O'Toole: I have three points I want to make as succinctly as possible. I'm going to start by looking at the bill specifically, but I want to make sure that I reinforce the fact that this time allocation motion is another example of a government that refuses to listen, refuses to work with the opposition, and in fact has no intention but to steamroll ahead with guillotine motions like this, where they stop and end debate. This is unforgivable.

But in the interest of contributing to the debate here today, I'll switch to the bill. But it is a time allocation motion. If you look at this motion itself, you'll see that there is about an hour, and the hour is only set aside because they've made some serious errors in drafting. They're not going to adopt any of the amendments; I predict that right now. Whether there are five or 17, they'll vote them all down. They have become so arrogant and indifferent to working with the opposition of either party that it disappoints me.

I think the member from Leeds-Grenville made a very definitive argument with respect to the Working Families Coalition. It's clear now, it's in the media, and everyone understands that this is a way of appointing the people who raise the money, who put the signs up, who defeated our government and got McGuinty elected. Those signs and the money they spent—this is payoff time, basically. They're going to appoint them to the college. I predict right here that Pat Dillon will probably become the registrar.

I'm only saying this because I'm going to talk about the substance. The college is the question here, and I want to put this on the record. There is a statement here, and it was made by the member from Ottawa South in 1993, and I'm quoting from Hansard. He says, "The question we've got to ask is who is in charge, who is responsible and who is in charge of looking out for the public interest. What the bill purports to say is, 'We're going to throw a bunch of people in who represent particular causes and hope through some mysterious process

they're going to come up with something that resembles the public interest.'" Who was that? It was Dalton McGuinty. He said it then and it applies now. These appointments are nothing but the diversion or deflection from the minister's responsibility.

The point has also been made throughout this debate on the issue of ratios. The member from Simcoe North has made a complete and comprehensive argument that should be listened to about ratios and how they make Ontario less competitive. We can't stand for that being ignored.

I have an example letter from my constituent, Norm Fenton. He e-mailed me in January and I sent a letter directly—I have a copy of it here—to Minister Milloy. I sent the letter to Minister Milloy, and that is dated September 22, and I have a reply back.

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The question comes from the constituent, who said, "I'm a teacher at the Durham College Skills Training Centre. I have recently had brought to my attention a number of situations where apprentices have been laid off and for financial reasons are unable to continue with the in-college portion of their apprenticeship training. Although it is well understood that their class seats are still available to them, it is not so well understood that there is no funding available to them to assist them in attending classes." He goes on to argue in favour of his students having more chances in apprenticeships, and this is by a teacher from my riding.

I got a letter back from the minister. At least he did write back, but it was talking about something completely different. It was like question period here.

I want to just mention, in the few seconds I have left—because our member from Parry Sound-Muskoka really is going to wrap up for us and hit a home run, I'm sure. This is on part IX. It's "Ratios, compulsory and voluntary Trades." This is very important. It says here that they are going to appoint a board, and these will be basically orders in council by Premier McGuinty. That's who will appoint them. They will be people who were at the fundraisers and things like that. "If a trade has been prescribed by a minister's regulation as being subject to a journeyperson to apprentice ratio, the board shall, by a board regulation, prescribe the number of apprentices who may be employed by an employer in that trade in relation to the number of journeypersons employed by the employer as determined by a review panel." So they're going to make us less competitive. We should at least say that we're going to compete on a level playing field with other provinces and other jurisdictions.

It goes on to talk about the compulsory and voluntary trades, which has been discussed.

I have one more section that I think is important. Remember, they're appointing a college, which becomes a self-regulatory authority, like the college of nurses, the college of teachers, the college of doctors, the college of optometrists. They're regulated professions, and there's a physician here listening. They should be independent of the process, not the head of the union. That's a conflict.

How can they deal with disciplinary matters at the same time as the union is representing the interests of workplace disagreements? There have to be professionals that have integrity. I want to see the composition of that board.

Here's the last part. Everyone should read part XII. This is where the minister takes it all back. He sets up a college to do all of these things, sets up laws and bylaws and regulations. The minister has the following functions: to promote trades; to register training agreements; to issue guidelines and policies for the purpose of the act; to work with the government of Canada for inter-provincial standards; to approve persons that will provide training for apprenticeship programs by the college; to administer the examinations that may be prescribed by the board; to conduct policy development, evaluation and research into trades—the minister is running the whole thing. Who are you kidding? This board will meet four or five times a year, go out for drinks, and that'll be the meeting, right there in a nutshell.

Anyway, I think Bill 183 avoids the real issue: that there are no jobs in the province of Ontario. Our economy is going off a cliff at 100 miles an hour. What are we dealing with? Creating more red tape. I don't think anyone in their right seat should be supporting this bill.

Mr. Mike Colle: Call a recess.

Mr. John O'Toole: We should call a recess on this government, because right now what I see is that they're time-allocating bills. They're not giving due consideration, some respect for genuine passionate input. They're ignoring it all. It's frustrating. I'm going to sit down because they're not listening.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mrs. Carol Mitchell: I'm very pleased to enter the debate on time allocation and Bill 183. I've got to say that we all need a little history lesson here today, and I tell you, I'm more than prepared to get it on the record here because we've heard from both sides of the opposition and, quite frankly, it's a bit of a stretch.

"The NDP government changed the standing orders in 1992, making it easier to time-allocate bills (the government was now able to put forward a debatable motion unilaterally imposing limits on the length of debates on government bills and motions. These reforms marked the first time that time allocation was codified in the standing orders. Previously, time allocation motions were presented as substantive government motions that required debate)," as we are doing today.

"Since the change, the percentage of government bills passed using time allocation has steadily increased," from here, from there, up that side of the House, "until"—and I know that everyone wants to know the answer to this—"the McGuinty Liberal government" was elected. That's when things changed.

To get it on the record here, "During the last Tory government, the government"—the Tory government—"time-allocated 60% of its bills." To hear them stand up in the House today and talk about time allocation in any

manner than what in fact they did while they were in government—

Mr. Rosario Marchese: Could you say it again?

Mrs. Carol Mitchell: Sixty per cent. You can't argue with the math, although I know there will be arguments with the math. "The McGuinty Liberal government time-allocated 25% of its bills." So I say to the members in the House today, you can argue all you want, but you can't argue the facts. And those are the facts: 60%.

Change the legislation to make up the rules as you see fit, which removes the actual debate within the change to the standing orders, so that we do not debate the standing orders for time allocation—no debate in this House. And that, my friends, is a significant change.

I have to go on and talk about—and I must say I didn't have the opportunity to sit on this committee, and quite frankly I'm a little disappointed that I didn't, because when I read—

Mr. Rosario Marchese: It's in your notes.

Mrs. Carol Mitchell: —the notes here, yes—I couldn't believe it: 59 amendments in total; 23 from the government, 31 from the NDP, five from the PCs and 15 completed. Twelve 20-minute recess calls. In fact, the members from across the way even called a recess on one of their own amendments. So what do you think the argument would have been when they went out into the hallway? Do you think they debated amongst themselves what their amendment should have been or could have been? One would wonder at that.

But you know, with a 60% background, that's what they bring to the table: 60%. I can tell you that that is significant. And we can see the government today: 25%.

I did want to speak to—this is a wonderful opportunity for me to talk about the good things that are happening in the most beautiful riding in the province of Ontario. We recognize, by having the largest work site in all of the province where construction is happening today, at a Bruce Power site, how important skilled trades are. We are very, very pleased.

Over the years, especially in rural communities, it has been very difficult to train your employees. One of the grants that was received from the McGuinty government went toward our carpenters, one of our skilled trades. I can tell you, what they did with that was absolutely incredible, and so reflective of the rural communities that they work within.

One of the things they did, other than a training centre with the room to bring the staff in and train—they have a trailer. In that trailer are desks and work equipment, so they're able to go out into all of the different work sites and move the trailer around. This group, this union, provides service for four counties. That's Grey county, Huron county, Bruce county and Perth county. If any of the members have had the opportunity to be in the southwest, you would realize how much driving time that would take.

I am very pleased to see the training being provided in something that is portable. It is so reflective of our rural communities, and they really do get it and understand

that a skilled workforce and ongoing training ensure safety as well as an increase in skill sets.

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One of the other things that I wanted to speak to—as I have an opportunity to speak about skills today, I'm very pleased to be able to have the time to talk about the most beautiful riding in the province. One of the things is the high skills majors. We recognize that in order to increase the trades, we must encourage our young people, and by bringing in the high skills majors, bringing it back to the schools—it's all about being respectful and understanding of what the communities need. That was one of the things that I always found the most difficult about the previous government, the cookie-cutter approach that they would use. Whether it be urban or rural, there was no respect for the communities or an understanding of what would work in that community. But by bringing forward the high skills majors, it encourages our young people in all streams. So within my riding, we have masonry, we have electrical—and I can tell you, because I know you'll be anxious to know this, that as we produce 25% of the energy that the province uses, we are one of three within the province that have a high skills major with electric.

We also have agriculture. Obviously, as we're the largest producers of all agricultural product around the province, it was critical that we have an agricultural base where we can encourage our young people to choose agriculture. When we think about the skills that are needed in agriculture today—because it's changed significantly, the skills that are required in order to run a farm today. So this is so critical.

The other thing with the high skills majors that we just announced is arts and culture. As many of you know, we have a very strong cultural community.

But what this is about is recognizing what our young people need—the training they need, getting it as close to home as possible, and also getting the encouragement—while being very respectful of our rural communities. And whether or not that is the career choice, the career path, that they will choose, to go into the skilled trades, it gives them what I would say is a test drive. They can go out and determine if that is where they want their career to be, their future jobs. So before they make the significant investment of post-secondary, it gives them the opportunity to see if that is what they want to do or something that they would like to expand on.

It really is important, at all levels, to encourage our young people, and to make sure that we have the trades in place for the province to grow. And that's what I see with this bill. It's laying out a process, a recognition that the trades have changed significantly, and it gives the opportunity for input from our organizations. That, to me, is often what was lost with previous governments, sadly.

Mr. Rosario Marchese: The lost years.

Mrs. Carol Mitchell: Yes, the lost years. We think about the years that were lost. But we are catching up and we are making up time, and we must sometimes bring forward a time allocation.

I will end with my final comments on time allocation. Our government struggles, quite frankly, with bringing forward time allocation. But there comes a time when the business of government must move forward, and that's what today represents. But clearly, 25% is significant. That's how much it's lowered from that side of the House: 60% down to 25%. So reluctantly, we bring it forward today, but we understand that Bill 183 is important government business in order to continue to move the province forward.

So I thank you, Speaker, for allowing me to enter the debate, and I look forward to hearing more about this important bill.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Norm Miller: It's my pleasure to be able to speak to Bill 183, which is An Act to revise and modernize the law related to apprenticeship training and trades qualifications and to establish the Ontario College of Trades. We're discussing this afternoon a time allocation motion to shut down debate on that bill.

"The Bill sets out a scheme for the governance of the practice of trades in Ontario..." This is from its explanatory note. Interestingly enough, it "prohibits a person from engaging in the practice of a trade designated under the act, employing journeypersons in those trades or sponsoring or employing apprentices unless the person is a member of the college." So all the plumbers and electricians out there are going to have to join this new college if the bill is passed.

It, of course, has a whole section dealing with apprenticeship ratios, something the opposition's been asking for the government to just deal with and be like the rest of the provinces. With the stroke of a pen tomorrow, if they wanted to, they could change our ratios which are so hurting all the young people who are trying to find apprenticeship places. They could do it tomorrow if they really wanted to.

Part XI of the bill "establishes the appointments council which will be responsible for appointing the members of the board and other key bodies in the college's governance structure." When I read that, I'd say that means the unions are going to have control. Very few unions are going to have control of this college, and they don't seem to be in favour of things like apprenticeship ratios that match the rest of the provinces.

I think that's what this bill is really all about, as the member from Leeds–Grenville pointed out. It's really connected with the Working Families Coalition, a third party supported by many unions which is spending millions of dollars in provincial elections. You remember in 2003 they ran ads like, "Not this time, Ernie, not this time"—you know, the nasty stuff in an ad—so Mr. McGuinty can say it's not him, his hands are clean. They've got a third party doing the dirty work. This bill plays to the friends of the Liberal Party and rewards them for support in past elections, and that was pointed out by the member from Leeds–Grenville.

I think our critic the member from Sarnia-Lambton has been doing an excellent job on this bill.

There are a lot of businesses out there, small businesses in particular, that do have concerns about the bill, and I'd like to get some of those on the record.

The Canadian Federation of Independent Business, which represents 42,000 small and medium-sized members, have concerns with Bill 183. They represent virtually every sector of the economy. They account for more than half the employment of the province, more than half of the GDP; 81% of Ontario businesses right now have fewer than five employees.

One of the chief complaints from small business is the shortage of skilled labour. CFIB's latest report on training shows 37% of member businesses are currently experiencing labour shortages in areas or in jobs that require apprenticeship training. One way for small businesses to deal with these shortages is to train.

CFIB estimates that, on average, small and medium-size businesses spend \$2,700 per employee per year on both informal and formal training. Typically, the smaller the business, the higher the cost of training, which essentially means that the smallest firms out there are disproportionately affected by training costs.

When it comes to apprenticeship training, small businesses have identified some key reasons that actually motivate them to train apprentices. First, apprenticeship training is a good way for them to deal with labour shortages; second, it helps them prepare the next generation of journeypersons and come up with a succession plan; and, third, it helps them grow their business.

But businesses have identified some key challenges when providing apprenticeship training. They sometimes lose their investment in training when their apprentices are being poached by larger businesses; a lot more needs to be done about the in-class portion of the training so that it doesn't disrupt business operations; and, of course, the issue of ratios, especially to the smallest firms in those trades that currently have restrictive ratios.

Ratios are the top challenge for apprentices. I've personally received many comments from apprentices and small businesses and resolutions from councils where businesses are being negatively affected. If I have time at the end of my speech, I'll read some of them into the record.

In many cases, apprentices actually approach an employer directly to sponsor their training and the employer is not able to do that because of ratio requirements. There's a growing sense of unfairness among Ontario businesses and tradespeople in terms of the ratios that are currently in Ontario in light of efforts that have been made across the country to reduce ratios in other provinces. To be clear, for example, if you're an electrical company, you need three journeymen for one apprentice. In most other provinces it's one to one, so you can have more apprentices.

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Last year at this time, the Ontario Electrical League and the Canadian Federation of Independent Business

joined with Ontario youth representatives at Queen's Park to demand action from the provincial government on job-killing apprenticeship rules. Both organizations note that thousands of young Ontarians are turned away from apprenticeship jobs even though "contractors have numerous unfilled vacancies." The remedy: Reduce the ratio of certified electrical tradespersons required for each apprentice from three to one to one to one, which is in line with other provinces.

The Ontario Electrical League has this to say about ratios: "The Ontario government actively encourages young people to enter skilled trades at the same time it obstructs employment opportunities through unfair apprenticeship ratios.

"The same policy also harms thousands of small businesses that provide contracting services because they are barred from hiring the skilled employees they need to replace retiring workers or meet growing workloads."

Mary Ingram-Haigh, OEL president, says, "Electrical contractors alone could hire hundreds, if not thousands, of apprentices right now if given the chance. Instead of pink slips, Premier McGuinty should offer apprenticeship candidates new rules that will let them work."

When it comes to incentives within the existing apprenticeship training, the tax credit is a helpful measure. However, CFIB reports that almost half of them were not aware of this credit. A lot more needs to be done to promote this credit. Of those businesses who actually know about it, some are not in a position to take full advantage of it because they are not allowed to hire as many apprentices as they can because of ratio requirements.

In terms of the existing apprenticeship structure and when it comes to provincial apprenticeship committees, small business was never really represented on those committees. Now, going forward with the elimination of those committees and replacing them with trade boards under the proposed legislation, small businesses are not really convinced that their representation will improve. Understandably, there is a heightened level of skepticism about whether the proposed trades college will achieve its goal and create a level playing field.

The college will be self-regulating, though we've seen that the government has now taken steps to intervene with other similar health-related agencies. For example, not long ago, the Minister of Consumer Services introduced legislation to rein in the Technical Standards and Safety Authority's operations. One of the areas that he's looking at is representation. The other area he's looking at is policy measures.

Another example is the Electrical Safety Authority. Recently, the Minister of Consumer Services had to intervene to put in place a moratorium on charging fees on manufacturers at a time when the manufacturing sector was on its knees.

There are no criteria in the proposed bill about the selection of the appointments council. This is going to be a body that is of critical importance because this will be the body that will set up the permanent governance board

and the review panels that will deal with ratios and compulsory certification. Small businesses want to know who is going to be on that council and whether they will be represented or their concerns considered.

Member fees are also a concern. They are seen as a tax on tradespeople. There's no clarity as to how the price will be determined and what the value for money will be to tradespeople who will be paying those fees. I'm sure my local plumber will be really thrilled to find out that he has to join this.

Finally, there's nothing in this bill that will help reduce training costs. On the contrary, training costs may actually increase because of the new fees that tradespeople will have to pay. This may discourage new employers from engaging in apprenticeship training.

I'd just like to get a couple of e-mails that I have received—I've received many on this issue, especially to do with apprenticeship ratios.

Here's one from Stinson Electrical: "As per a conversation I had with Yvonne yesterday, I am sending along documentation that pertains to our concerns over the current electrician-apprentice ratios. We are feeling frustrated over this whole issue. As for the young man who sent us his resumé for an apprenticeship program, we receive e-mails and calls weekly. You would think that the provincial government would want to look to the future and allow opportunities for gainful trade employment for youth. It does provide with us an 'apprenticeship tax credit' program as an incentive for employers to hire apprentices, but then, ironically, limits the number of apprentices we are able to hire with unfair ratios." That's from Stinson Electrical.

McDougall, Parry Sound and Seguin sent a letter—I won't read the whole thing. They sent this in April of this year. They note:

"It has come to our attention that to obtain a second apprentice in a business in some trades you may need at least three licensed journey people. We feel that due to the current shortage of the skilled trades workforce in our area a review of these requirements is necessary. In smaller communities such as ours, it is often difficult to have one licensed journeyperson in a business let alone three. These ratios are currently putting a halt to the growth of our trades industry because businesses can often only take on one apprentice and therefore eager apprentices are out of work and become discouraged and frustrated. It is our opinion that the apprenticeship ratios should be changed to one apprentice to one journeyperson."

That comes from McDougall, Parry Sound and Seguin, and it's signed by the mayors of all three towns.

I had an email from someone involved in the Parry Sound area:

"Apprenticeship program

"Today I received an inquiry from Bay Area Electrical and plumbing about what appears to be a real problem with the apprenticeship program. Hopefully, you can help. Presently, it is almost impossible for companies like Bay Area to get licensed plumbers so they have to train

their own. In the case of Bay Area, they have three plumbers' licences, but yet can only sign on one apprentice. They were told that they need to have four licences before they can sign up a second apprentice. That doesn't sound right to me when we are desperate for plumbers. Can you help." That came to me.

Another letter here that reads: "We have been hearing rumblings for quite some time now about the importance of changing the apprenticeship ratios as some of the other provinces have done. At this point in time we have little hope that this will happen any time soon. Let me indicate to you how the current ratio provisions directly affect my day-to-day operation negatively"—and they go on. I won't read the whole letter.

Just in conclusion, I say that we cannot support this bill. I don't think it will make a difference in terms of this apprenticeship ratio problem. One part of the problem—in fact, I think what's going to happen is that it's going to give control of all the trades to the unions, and this will not be of benefit to the economy of this province or to young people seeking opportunity.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Jeff Leal: I'm delighted to have the opportunity this afternoon to make a few comments on the time allocation motion.

But first of all, I'll give a bit of an announcement here. On behalf of David Crowley, the president of the Norwood Agricultural Society, I invite everyone to Norwood this Thanksgiving weekend to enjoy the Norwood Fall Fair, which is always a great opportunity to get a feel for rural Ontario in the great town of Norwood.

It's interesting, there was a lot of talk, first of all, about closure. Modern-day closure, of course, started in 1956 during the great pipeline debate and has been used by successive governments, both federally and provincially, since that time when there's a need to push forward on a piece of priority legislation. I also have a great respect for the opposition parties which, from time to time, use the rules to stall a particular government initiative. But in this particular case, Bill 183 is such an important piece of legislation, particularly for the young people in the province, that it's incumbent upon us all to move forward with this bill.

In my case, I've met a lot of young people—Sam, Ed, Jennifer and Charlene—in my constituency office who want to have the opportunity to pursue a trade in the province of Ontario. Many of them have been involved through their high schools, through the Ontario youth apprenticeship program, and want to use that as a platform to move into a full apprenticeship training program to get their apprenticeship and to fulfill and pursue their destiny.

It's interesting enough that this afternoon there's been a lot of talk about Working Families. I know the working families that I see, or certainly the working families that I meet each and every Friday at the East City Coffee Shop in Peterborough. We get a chance to sit down, enjoy a soup and a western sandwich for \$6 and have an oppor-

tunity to talk about what's going on in their particular sectors. Also, if you want to go to the Branch 52 Legion in Peterborough on Fridays, they also provide a \$6 lunch, which is a great lunch. You get an opportunity to consult with the folks on a wide variety of issues.

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A group that is not part of the Working Families Coalition, the Ontario Chamber of Commerce, made a submission on Bill 183 by Stuart Johnston, who's their vice-president of policy and government relations. I just want to get a few of his thoughts on Bill 183.

"The Ontario Chamber of Commerce commends the provincial government for developing the framework for the college of trades as outlined in Bill 183: Ontario College of Trades and Apprenticeship Act, 2009. The OCC believes this legislation will help foster the skills development that will help enable Ontario to transition to a more productive and efficient economy.

"The skills trade shortage has been a serious concern for our members over the past few years. This concern has been exacerbated by Ontario's slowing birth rate and aging population. Both are major challenges Ontario faces in attaining the labour force it requires for economic growth. It is estimated that from 2011 to 2020, Ontario's labour force growth will weaken to 0.7% from 1.8% over the previous decade. More alarming is that, combined with these increasing labour market pressures, Ontario's population growth rate will shrink even further over the next five years, averaging 0.5%."

It goes on to say: "The OCC released two reports" talking about "addressing the skills shortage: Taking Action on Skilled Trades: Establishing the Business Case for Investing in Apprenticeship, 2005; and Retooling for a Prosperous Ontario: A Global Perspective on Skilled Trades," in 2006. They go on and on, and they do talk about an example that they believe Bill 183 will emulate. They talk about Australia:

"Initiatives such as the 'one-stop shop' have proven to be successful in other jurisdictions. For example, in 1996, the Australian government streamlined the apprenticeship program and created a national standards training package. The national approach was successful. It created a 'one-stop shop' for apprenticeship services, cutting through red tape and simplifying training arrangements for employers. It was also responsible for the implementation of a national marketing campaign to communicate the benefits of new apprenticeships to employers and young people"—exactly the kind of thing that Bill 183 will be doing.

It's interesting enough, when you talk to young people, that they really see apprenticeship training as an opportunity for gold-collar occupations in the province of Ontario, the kinds of occupations, through training electricians, machinists, toolmakers, you name it, to pursue wonderful careers and in fact pursue what they feel would make a significant contribution to Ontario's economy.

I also want to quote from another submission that was made, by the United Brotherhood of Carpenters and Joiners of America, Mr. Mike Yorke. He said:

"My name is Mike Yorke and I am here today on behalf of the Carpenters' District Council of Ontario, a progressive labour union that represents roughly 24,000 skilled men and women across our province.

"I would like to begin by conveying strong support for Bill 183 and, before I go into detail regarding that support, I want to offer a few words of thanks to some of the people who deserve credit for this groundbreaking legislation." He goes on to talk about Tim Armstrong and Kevin Whitaker, who have produced reports on apprenticeship training in the province of Ontario.

He goes on to say, "Our initial hope was that this review would lead to the creation of a fair, open and transparent process for interested voluntary trades to apply to become compulsory.

"Well, Bill 183 does provide that opportunity, but it offers the entire community of skilled trades much more.

"When both Armstrong and Whitaker reached out to stakeholders across the province, they heard many of the same concerns and complaints.

"For example: The current PAC system is not functioning properly"—I agree with that; the government needs to listen to reform that process; "There are too many bureaucratic layers to deal with"—I agree with that; and, "There is no adequate mechanism for dealing with compulsory certification or ratios" in the province of Ontario. The list goes on and on. He concludes by saying that Bill 183 will address a number of these concerns.

I just want to reference the bill for a moment. One part of it that I think is particularly important is something that has been asked for by many people who are involved in this area in Peterborough. I want to reference in particular section 60, which deals with "Ratios, compulsory and voluntary trades." It clearly indicates in section 60 that "If a trade has been prescribed by a minister's regulation as being subject to a journeyman to apprentice ratio, the board shall, by a board regulation, prescribe the number of apprentices who may be employed by an employer in that trade in relation to the number of journeymen employed by the employer as determined by a review panel."

So during the first year that the transition board is put in place, they will look at this issue of ratios, and then every year beyond that there's going to be a built-in four-year review. I think that is particularly important, that we don't get sort of fossilized and put something in place for ever and ever and evermore, that indeed every four years we'll get the opportunity to take a look at the ratios, something that by and large I think is accepted in the community, something that we need to do.

Mr. Speaker—or Madam Speaker, I should say; you're doing a very fine job in the chair—I want to also preface something that appeared in today's business section of the Toronto Star. It's called "Deal Sparks Green Envy." They're talking about a proposed agreement between the government of Ontario and one of the largest industrial groups in the world called the Samsung Group, looking at investing millions of dollars in On-

tario's renewable energy sector. One of the things that's very important about that is increasing manufacturing opportunities in the green energy sector in the province of Ontario. One of the things they talk about is the need to have a qualified and trained workforce to take those jobs within the green energy sector.

One of the ways we can do that and provide hope and opportunity for Ontarians is to have Bill 183 in place, have a solid college of trades for apprenticeships in the province of Ontario. Many of those young men and women who will get the opportunity to enter apprenticeship programs in a variety of fields will find that they'll be able to pursue their destiny and their careers in the green energy sector of the province of Ontario. I think we've got to move ahead with this bill right away.

The Acting Speaker (Mrs. Julia Munro): The time having expired, Ms. Smith has moved government notice

of motion number 140. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

Having received the deferral slip, the vote is deferred until deferred votes tomorrow.

Vote deferred.

The Acting Speaker (Mrs. Julia Munro): Orders of the day.

Hon. Monique M. Smith: I move adjournment of the House.

The Acting Speaker (Mrs. Julia Munro): This House stands adjourned until 9 of the clock tomorrow morning.

The House adjourned at 1748.

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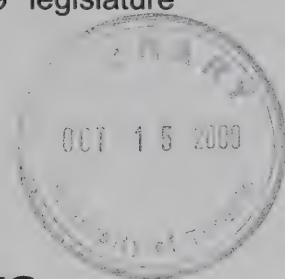
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Wednesday 7 October 2009

Mercredi 7 octobre 2009

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Honourable Steve Peters

Président
L'honorable Steve Peters

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 7 October 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 7 octobre 2009

The House met at 0900.

The Speaker (Hon. Steve Peters): Good morning. Please remain standing for the Lord's Prayer, followed by a Sikh prayer.

Prayers.

CORRECTION OF RECORD

Hon. George Smitherman: On a point of order: I'd like to correct the record on a matter that was raised in question period yesterday. I alleged that a practice of paying Ministry of Health executives through hospital budgets had begun in the 1991-to-1993 period. I later found this information to be incorrect. I want to apologize to members of the House and to Michael Decter, the deputy minister at the time, who was implicated in this information. I have confirmed that this practice was initiated, as I did say also in question period, later in the 1990s under the Conservative leadership.

Hon. Jim Watson: On a point of order: I, too, wish to correct the record. Yesterday, on the anti-SLAPP legislation, my quote is: "Quebec is looking into it, but has not passed legislation." In fact, in June of this year, they did pass legislation. BC doesn't have legislation. I apologize to the House for that incorrect information.

ORDERS OF THE DAY

STUDENT ACHIEVEMENT AND SCHOOL BOARD GOVERNANCE ACT, 2009

LOI DE 2009 SUR LE RENDEMENT DES ÉLÈVES ET LA GOUVERNANCE DES CONSEILS SCOLAIRES

Resuming the debate adjourned on September 30, 2009, on the motion for second reading of Bill 177, An Act to amend the Education Act with respect to student achievement, school board governance and certain other matters / Projet de loi 177, Loi modifiant la Loi sur l'éducation en ce qui concerne le rendement des élèves, la gouvernance des conseils scolaires et d'autres questions.

The Speaker (Hon. Steve Peters): Government House leader?

Hon. Monique M. Smith: I just wanted to note that we will reach 6.5 hours of debate this morning, and we would like the debate to continue beyond that point.

The Speaker (Hon. Steve Peters): Agreed. Further debate?

Mr. John O'Toole: Well, the debate continues on Bill 177. I think that, if I look at my notes here, this bill was introduced in May of this year. Our critic at the time was, I believe, Ms. Savoline, and currently it's Ms. Witmer. We take advice from our critic.

There are parts of this bill that are certainly the right thing to do in response to the reasons, the motive. It's important to always start with the motive: It was some out-of-control activities, mostly in the Toronto boards. There were audits done, and the government actually took over and ran a couple of the boards because there was some lack of accountability, much like the last few weeks here around the eHealth scandal. There was no accountability; they were spending money like impaired sailors. So they introduced Bill 201.

Anyway, this is very much the same kind of thing, where the school boards are out of control and Bill 177 attempts to bring things back under the direct control of the minister. This is the key: They have expunged any rights or responsibility for trustees—for directors, for that matter. If you look at this bill, it is absolutely a well-crafted piece of command and control. That's what this is. The minister has taken complete authority from everyone.

I'm glad to see there's a change of Speaker; I'm sure the new one is just as tolerant of my occasional flirtations with other issues.

If you want to know a bill—and this particular bill is just one example of many—the devil is in the details. If you look at the purpose clause of this bill, it tells the whole story. It does tell the story. What it does here, and it's interesting—I think it's important, Mr. Speaker, celebrating Agriculture Week here in Ontario; I thought that was a great statement you made yesterday on your riding.

The Deputy Speaker (Mr. Bruce Crozier): You won't gain any favours by saying that.

Mr. John O'Toole: I had breakfast this morning with the agricultural families from the Holland Marsh, and I encourage members who haven't had their breakfast yet to go down and have it, because my speech will go on longer than perhaps it needs to.

The real issue here is that it codifies who does what. The bill sets out by the minister in regulation—this is important, and I hope members are paying attention—the

“duties of the chair of the board relating to the chair’s conduct of meetings of the board, the chair’s relations with the public and the director of education and other matters regarding the chair’s leadership role, and the director of education”—these are the professional educators—“is also given new duties regarding his or her supervisory role. The bill lists duties of the members of the board, including duties regarding their attendance and participation in meetings of the board” and their relationship “with parents, students and supporters of the board and their compliance with the board’s code of conduct.”

It’s going to be sort of like a classroom itself. I guess they’re going to take attendance. Maybe they should do that here. In fact, I do it. I’m the whip today, so I take attendance, basically.

“A new process is set out in the bill for dealing with alleged breaches of the code of conduct by members of the board. Various other minor or consequential changes are made regarding the powers and duties of the minister”—they’re not quite consequential; I’ll get into that—“and of other persons involved in the administration of the education system.”

“Command and control” would have been a good name for this bill, because what it does—it’s incredible, really. The education Premier has taken over complete control. Now that they haven’t got enough money to solve everything by spending money wildly and unaccountably, as they have with eHealth and the OLG—the list goes on; it’s sort of out of control, really. But this thing raps the trustees’ rights severely on the knuckles. It just takes the ruler with the metal edge down and cracks them on the knuckles. The trustees have been defanged, dethroned and demeaned.

I’m surprised that they aren’t—what’s his name? Who’s the trustee in Toronto that’s always in the media? He’ll be silenced.

Mr. Ted Arnott: Josh Matlow.

Mr. John O’Toole: Josh Matlow. Josh will be just furious with this, because he won’t be able to be out doing press conferences and stirring up the juice of concerned parents and poisoning the atmosphere and various things like that.

I recall when I was elected in 1995, prior to Ms. Wynne, who is now the Minister of Education—I have every confidence that she could become David Caplan’s replacement. She’s a very capable person. The other one is Peter Fonseca. He is probably the best communicator. He’s got that—

Interjection.

Mr. John O’Toole: It’s not related directly, but this bill does address the issue of leadership. In that respect, I am very concerned, as we all are, about who is going to replace Mr. Caplan—or is there anyone else who is going to resign?

Hon. Ted McMeekin: We were hoping you’d cross the floor.

Mr. John O’Toole: Mr. McMeekin has had his brushes with, “I shall resign if they don’t de-amalga-

mate,” but we won’t go there; this is really about 177 and school governance.

The number of members of district school boards—this is important: “The number of members of a district school board, not including members appointed under subsection 188(5), shall be the number of members determined for the board for the purposes of the regular election in 2006.” How is the number of trustees determined? Basically, there is a formula for determining it based on assessment, because education used to be primarily—in Toronto for certain—funded from the tax base. There was no provincial money for the Toronto school boards. I hope members know that.

0910

I was a school trustee for a couple of terms, years ago when my five children were in the school system. My wife was a teacher, and one daughter—I have the greatest respect for public education. Everyone here in this House does, I think. Many of the members here are, including Ms. Witmer—I think Mr. Bradley, the Minister of Transportation may have been an educator as well. There’s a lot of education leaders, shall we say, in this precinct. Because you say things that are of a critical observation doesn’t mean that we’re opposed in any way.

I think this bill, as I said here, does attempt to take all control. Here is the section I was looking for, section 4:

“Section 11 of the act is amended by adding the following subsection:

“Regulations: responsibilities of boards, etc.”

I think Mr. Phillips probably chairs a little committee, a sort of secret committee that sets up these regulations. They consult with the educators; usually the OSSTF is the main consulting body. The unions run the place, technically, and that is kind of another issue. They’ve joined hands with the Working Families Coalition, and if the government doesn’t give them what they want, they walk the picket line, basically, and the children are threatened.

Here it goes: “(2) The Lieutenant Governor in Council may make regulations governing the roles, responsibilities, powers and duties of boards, directors of education and board members, including chairs of boards.”

That little section, just kind of hidden at the top of page 2, tells it all. Let’s go over it again. This is under section 4, section 11 of that act, adding the section: “The Lieutenant Governor in Council”—now, who’s this? That’s cabinet; the cabinet shall. The Lieutenant Governor’s only role in this is basically to sign them, in the role of the crown itself, a representative of the crown, really—“may make regulations governing the roles, responsibilities, powers and duties of boards, directors of education and board members including chairs of the boards”—who they can talk to, what they can say, what they can do.

They actually do all of the funding now; it’s a complete formula. They said they were going to modify the education formula. They haven’t. There’s still not enough money for special education, there’s not enough money for small and rural schools, and there’s not enough

money for school busing. Mr. Leal from Peterborough knows that.

There's not enough money. Why? Because they've spent \$1 billion on eHealth. And is it any better? No, it isn't.

In this bill this morning that we are debating, there are some good things. We are all in support of ministerial responsibility, and in this case, Kathleen Wynne has scored a home run. She's got complete control—complete control. She signs every cheque that pays every trustee.

Look: Education funding is a huge issue. Understand that. Toronto, Ottawa, Hamilton, London—the larger boards are still upset because of the way it's funded. The funding was changed by the government when we were in government. I was never a member of government; I was on the government side of the House, but I was never in cabinet. I've always wondered about that, but anyway—I will probably continue to wonder.

But the issue here really is that they haven't changed it. They haven't changed the education funding model. No, they complained and whined and ground their teeth, but they didn't change it. It's actually a good formula. It needs to be monitored and it needs to be controlled by the minister to make sure that the money, as much as possible, the greatest amount of it should go directly to student support, and I think probably it is. But let's face it: At the beginning and the end of the whole process, this is all about having good, excellent teachers. They are the cornerstone of a strong knowledge-based economy, technically. Whether it's at the elementary, secondary or post-secondary level, they should be commended and supported.

Now, is there enough money all the time? No, there isn't enough money. When the economy goes over the cliff like it is now—330,000 families without a paycheque coming in—there are going to be problems. There are going to be bumps in the road. Bob Rae would still be in government if he had had enough money. You know, he would have just written more cheques, had more debt; taken on another mortgage. But he ran out of money and then the cost of borrowing went up, so he had to implement the social contract, which is why they're out of office. I think we're on the verge of the Dalton McGuinty version of the social contract, and it's tragic.

Now the hospitals are whining continuously—they have every right to whine, because they've cut off the money for recruiting doctors and now they're tampering with the pharmacists, under regulations; it's not even in public. Call your pharmacist and see if they're happy, okay? They're tampering with things that the public aren't quite aware of, and now in education, I think they've jammed the brakes on here, too. There's not enough money for children with special needs.

When there's waste by the trustees, this is where Kathleen Wynne, the Minister of Education, is right: She should bring them back to having some purpose and accountability. That's what this bill does.

So generally, we do support the bill. But why do you say, on one hand, "Oh, the parents are the primary edu-

cators" and meet with them and all the glowing compliments and then talk in glowing terms about the trustees and, "What a great relationship," and then just pull all their teeth out with this bill? They've defanged them, I'm telling you. There isn't any reason they'd even go to the meetings now. It's almost like they brought the dentist to become the chair of the board. It's tragic.

There's another section that I found interesting, because when you read these bills—and after you've been here, some would say too long, you actually start to read the bills, and then you look at what it's actually changing. These are significant changes. Decreasing the number of members on the board: I think there are some tools in there. Maybe if you had smaller boards, you'd have more control over them and wouldn't have so many dissenting voices.

I can only speak for myself here, but when I was first elected I was elected because I was a nosy parent. I still believe that parents are the primary educators, but they have to work in partnership with the other experts, if you will, and disengage from the emotional journey that a parent is on sometimes and deal with the journey of reality and the skill sets or deficiencies their child may have, allowing the educators to apply the right tools and the right measures to achieve the best potential for every individual. That's kind of the goal of education: so every child can reach their maximum potential. I support that. I look at our five children and my wife, being an educator. I think they're all—of course this is a very objective comment I make—my children are all successful. Well, in my view they are. But all parents should feel that way: proud of their children; I think in most cases most people are.

I think that when you look at this, we need more accountability, and I think even the members of the opposition agree with that. When I talk about accountability, I always like to look at things like the auditor's report. The one we're looking at today is a special report: Ontario's Electronic Health Records Initiative. Now, this is accountability. Let's call in the Auditor General of Ontario and let's call in André Marin, the Ombudsman. Boy oh boy, he sure likes to take the wraps off things. Some would say he strips them off. But he certainly does provide a role of an independent officer of the Legislature, and he's quite diligent in his duties.

But the auditor here, Mr. McCarter—and all parties recognize his professional integrity and independence. Now, I haven't actually read the report, except what has been in the paper, which was leaked. It was probably leaked because probably when the Premier saw it he ran out of the office and dropped some of the papers or something because he was just terrified. The Toronto Star said they spent \$1 billion and have improved very little. So that's problematic, but I'm interested. This morning we'll probably hear about it in question period. For those who are just tuning in, question period will all be about this report here, the special report from the auditor. And I think Jim McCarter—

Hon. James J. Bradley: No questions for me?

Mr. John O'Toole: Well, no. I'm thinking I may have questions for the Minister of Transportation, because I am concerned about GO Transit getting to Bowmanville as soon as possible. You know that. That report on the 407 was just filed with you. The minister, I know, will read them. In fact, I'll have to speak to him directly on that sometime later today.

But on this bill, the Ontario Public School Boards' Association clarifies the position on Bill 177. I think this is important—in the very little time I've been given this morning.

Could I get unanimous consent to have an hour? I seek unanimous consent, Mr. Speaker, to have one hour.

0920

The Deputy Speaker (Mr. Bruce Crozier): The member is seeking unanimous consent to speak for an hour. Agreed? I heard a no.

Mr. John O'Toole: Respectfully, Mr. Speaker, I felt I might have slipped one by because some were nodding off a bit.

Anyway, The Ontario Public School Boards' Association has been monitoring the reaction to Bill 177, An Act to amend the Education Act with respect to student achievement, school board governance and certain other matters, which is currently at the second reading stage in the Ontario Legislature. During the debates a number of views have incorrectly been attributed to the association. This is important to put on the record here: "This communication will clarify OPSBA's position and firmly state our united opposition to proposed changes."

The Ontario Public School Boards' Association's opposition is right here. They're the duly arm's-length, quasi-elected officials; they're against it.

"OPSBA takes issue with:

"—assignment of accountability to boards for student achievement and student well-being without reference to the role of the Ministry of Education, other levels of government and relevant conditions that are outside the control of school boards;

"—the potential, through regulations flowing from Bill 177, for school boards to be taken over and placed under supervision for reasons other than failure to bring in a balanced budget—a significant departure from current provisions."

This is the heavy hand of the minister, and I think it's coming directly from the Premier. I see Premier McGuinty's hands all over this.

When you start to worry, you kind of become defensive. With the shrinking economy and the collapsing confidence in cabinet, I think there's this tightening up, a closing of the ranks. I see this. You can see it, you can feel it, that they're running and trying to hide. You can run but you can't hide.

All the bills now are being time-allocated, which is another symptom of an underlying disease, the crumbling of the structure of a once-strong government. I think the undoing is before us now; it's time allocation.

This bill: The Ontario Public School Boards' Association is opposed to it.

I'm concerned. Now we have resignation of cabinet. We have the auditor's special report. The whole thing is sort of like a ball of yarn coming unravelled, and the cats are now chasing that around the kitchen. They're getting even tangled up in their own wool.

I remain complimentary, but hesitant to support this bill. We need the controls, but I think they are going about it in a very heavy-handed, mean-spirited way. He who was considered the education Premier has now taken the gloves off—that is what this is about—taken complete control. I think if they made Kathleen Wynne the Minister of Education this problem might be solved—could be, or it could be Ms. Dombrowsky, the Minister of Agriculture. Because of the relationship with agriculture and health, it makes sense to me.

We'll wait till later today to see the cabinet shuffle. I hope they maintain the Minister of Transportation in his current duties.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

M^{me} France Gélinas: Well, it was a pleasure to listen to the comments from the member from Durham this morning. Although some of it was on topic, I found the most interesting parts were the parts that were off topic, which doesn't say too much for what we are here to do this morning.

We are here to talk about Bill 177, which is an important bill dealing with board governance. At the core of the issue is the fact that school trustees are elected officials. Just like we are, members of provincial Parliament, they are elected officials. They are there to represent the parents and the children within their own constituencies at the school board. This bill tilts the power very much toward the Minister of Education, which, to me, is problematic. The member from Durham certainly found some good things about the bill, but he also has shared the same concern that we do: That is the balance of power between two elected officials. What needs to be resolved is what happens if, in doing their duty of representing the parents and the kids that go to school in their own constituency, they come to be at odds with the Minister of Education. With this bill, the Minister of Education would have the big stick. Hers—because right now it's a woman—would be the only word that would count, because she could squash what everybody else had to say. This imbalance of power is something that brings us a lot of worries and is something that the member from Durham expressed well.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments? The member for Durham, you have two minutes to respond.

Mr. John O'Toole: I want to thank the member from Nickel Belt, and I think she was fair in her criticism of me as well as the bill. Both of those were fair and appropriate.

I should mention a couple more things. I have regard for the difficulties that are challenging the current government. The Minister of Municipal Affairs, Mr. Watson, spent the last two days in front of the estimates commit-

tee being scrutinized and questioned, and I think he has been trying his best to show a strong face and resilience. The Minister of the Environment is involved in a lot of things going on in my riding. I sat with him the other day and I'm concerned. I have concerns about the energy-from-waste facility in my riding, and I know he's paying attention to that. I have every confidence that the individual ministers are trying their best. But they sometimes don't have the resources to do the job and bring it on time and on budget.

This is what this bill is about. If you look at 177 and the comments that have been made throughout, there are elected trustees duly elected to do the job. Some of them need to be reined in a bit about talking to the press and stirring up trouble, but for the most part they're concerned parents or citizens who have been duly elected. What they need are the tools to do the job, but now that the tight economy has arrived—330,000 families without an income—there aren't quite enough dollars to solve the health problems, the education problems.

Now the big one is full-time daycare—a huge problem in my area. The full-time daycare, 8 to 5, doesn't help agricultural communities or small-town communities. How are you going to get the little tots to the daycare at the school? They don't work weekends; lots of people today work in retail. Then the teachers say they want all full-time teachers, not early childhood educators, to do it. Charles Pascal had it correct. Read his report.

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Further debate? Does any other member wish to speak?

Ms. Wynne has moved second reading of Bill 177. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it. Carried.

Second reading agreed to.

The Deputy Speaker (Mr. Bruce Crozier): Shall the bill be ordered for third reading?

Hon. James J. Bradley: I would ask that the bill be referred to the Standing Committee on Social Policy.

The Deputy Speaker (Mr. Bruce Crozier): So ordered. Orders of the day?

Hon. James J. Bradley: I move for a recess until question period.

The Deputy Speaker (Mr. Bruce Crozier): There's a motion to recess until question period?

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): I think the minister actually has said there will be recess until question period.

This House is in recess until 10:30 of the clock.

The House recessed from 0929 to 1030.

SPECIAL REPORT, AUDITOR GENERAL

The Speaker (Hon. Steve Peters): I beg to inform the House that today I have laid upon the table a special report from the Auditor General of Ontario on eHealth's electronic health records initiative.

INTRODUCTION OF VISITORS

Mrs. Julia Munro: Today in the gallery are representatives from the Holland Marsh Growers' Association, in my riding. I would ask all members to help me welcome them and show their appreciation for the delicious breakfast members of this House were able to enjoy this morning.

Hon. Jim Watson: I'm pleased to recognize, in the gallery, Oliver Nurock, who is visiting us from South Africa. Welcome.

Ms. Cheri DiNovo: I'm delighted to welcome the family of Helen Lee, our wonderful page from Parkdale—High Park. Her dad, Dave Lee, and her uncle, Dan Lee, are in the public gallery. Also, constituents Ted and John Patterson are here for the third time. I'd like to welcome them.

Mr. John O'Toole: I would like to introduce the parents and grandparents of page Ava Doner: her mother, Anita Doner; her dad, Dan Doner; her grandmother, Jean Doner; her grandfather, Howard Doner; friend Olivia Pigden; and other gallery members who are visiting with us today. Welcome, and enjoy the proceedings.

Mr. Bruce Crozier: I'm delighted today to introduce a former staff person of mine, Robyn Gray, in the member's east gallery. She went on to greater rewards and was on ministerial staff. She has now left us because she's preparing to move to Australia with her husband, but we welcome her back this morning for a visit. And I'm buying her lunch as well.

The Speaker (Hon. Steve Peters): Seated in the Speaker's gallery, from the riding of Elgin—Middlesex—London, I'd like to welcome Steve Buchanan; Steve's wife, Birgitta Buchanan; their son, Angus Buchanan; and Thomas Drouet, an exchange student from France who is staying with the Buchanans. Welcome to Queen's Park.

Mr. Ted Arnott: On a point of order, Mr. Speaker: At 9 o'clock this morning, as the House began its morning sitting, the Minister of Energy and Infrastructure and the Minister of Municipal Affairs and Housing both rose in this House to confess that they made inaccurate and false statements in question period yesterday. Given the fact that few members—

Interjections.

The Speaker (Hon. Steve Peters): I'd just ask the honourable member to withdraw the comment he just made, please.

Interjections.

Mr. Ted Arnott: I said that the statements were false and inaccurate. I withdraw.

The Speaker (Hon. Steve Peters): I thank the honourable member for his point of order. As he knows, members are at liberty at any time to rise and correct their own record.

Interjection.

The Speaker (Hon. Steve Peters): Thank you to the member from Renfrew—Nipissing—Pembroke.

ORAL QUESTIONS

PREMIER'S RECORD

Mr. Tim Hudak: A question to the Premier: Leaders set the example and the tone for those who follow. You appointed Sarah Kramer at eHealth without a competition, you personally ignored warnings that Kramer lacked experience and you made the choice to listen to Liberal insiders who benefited from sweetheart deals. Weak leaders blame others for their own choices and try to change the channel. Premier, you like to throw bureaucrats and scapegoats under the bus, but weren't they simply following your lead?

Hon. Dalton McGuinty: I want to begin by thanking the Auditor General and his team for the report that they released today. As always, they are thorough, helpful and objective. We had specifically asked the auditor to accelerate the timetable of his work. He kindly obliged, and I'm grateful for that effort on his part.

I want to say unequivocally that we welcome the auditor's report, we accept his findings and we commit to adopting every single one of his recommendations.

As you will know, earlier today David Caplan tendered his resignation as Minister of Health. With regret, I have accepted that resignation. I commend David for the work he has done and I look forward to the good work that's going to be done by his successor, Minister Deb Matthews.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: Premier, not only do weak leaders blame others for their choices, they also look the other way. This is not simply a problem of sole-source contracts; this is a problem of bid-rigging and ministers on Management Board picking Liberal friends as winners while Ontario families lose. Premier, this is a problem of leadership, and sometimes a leader needs to ask those hard and uncomfortable questions of his ministers and his staff. Why wasn't Premier McGuinty asking the hard questions while untendered contracts were being handed out right under his nose, by his own ministers, to Liberal friends?

Hon. Dalton McGuinty: I'm unclear as to why the honourable member persists in referencing friends of the government and pursues his partisan attacks. We now have the benefit of the Auditor's report. The Auditor makes it very clear. He specifically says that "we were aware of the allegations that 'party politics' may have entered into the awarding of contracts and that those awarding the contracts may have obtained a personal benefit from the firms getting the work—but we saw no evidence of this during our work."

I accept the report in its entirety and I would ask the honourable member to do the same.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Tim Hudak: Premier, the Auditor General's report paints a very ugly picture of what goes on behind

closed doors in the McGuinty government. For five months, Premier, you stood in this place, you dodged, you deflected, you stonewalled, you delayed freedom-of-information requests, and now we know why. The rot in the McGuinty government goes deeper than just one agency and just one minister. This sure is a different Dalton McGuinty than people elected six years ago. Premier, what are you going to do about your cabinet ministers who approved untendered sweetheart deals at your Management Board of Cabinet?

Hon. Dalton McGuinty: We thought that the appropriate thing to do in the circumstances was to allow the auditor to complete his work so that we could get an objective determination of exactly what went on. As I said, it was very helpful in disproving the allegations put forward by the honourable member that somehow there were partisan, there were party politics involved in the selection of contracts. We know now for sure that that is not true. But we didn't just wait. You will know that we made a number of rule changes. We have ended practices that were in place for decades under governments of all political stripes. We are now requiring that there be a competitive process for contracts with consultants. We are requiring that there be mandatory online training for people who work for the OPS and in our agencies. We are also shortly going to be requiring the posting of expenses for cabinet ministers and senior officials in our agencies and within the OPS. We have taken steps.

MINISTER'S RECORD

Mr. Tim Hudak: A question for the Minister of Energy and Infrastructure in his capacity on the Management Board of Cabinet: Last week you had a convenient case of amnesia when you were asked if you were at the infamous Management Board meeting that approved a \$30-million untendered contract to IBM. Minister, you said, "I don't know whether I was at" the "treasury board meeting."

Given the revelation in today's Auditor General's report and a week to look into it, the minister has had a chance to refresh his memory. Minister, I'll ask you very directly: Were you at meetings and did you participate in the untendered-contract binge that benefited Liberal insiders?

1040

Hon. George Smitherman: First and foremost is to say that the matter at hand is not a matter that is covered by the Auditor General's report. The honourable member in this House has repeatedly referred to the company in question as a friendly firm, and I just want to remind everybody that he's talking about the internationally renowned IBM.

I have studied my calendar for that day and I can confirm I was not in attendance at the meeting in question.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: Again to the Minister of Energy and Infrastructure: We all know you have a very cozy relationship with the Liberal-friendly Courtyard Group.

Your former chief of staff, Karli Farrow, is at Courtyard, and she was handed a few untendered deals herself. The Auditor General's report also makes it clear that the practice of handing out untendered contracts to Liberal friends actually started under your watch as Minister of Health—and this goes to your ability to manage the Ministry of Energy and the Ministry of Infrastructure.

Minister, be very frank: Didn't David Caplan get caught carrying a lot of your dirty laundry? Will the minister take accountability for his own actions and step down from his portfolios in cabinet?

Hon. George Smitherman: I want to say to my honourable friend that, over the course of four and three quarter years, I was privileged to be the Minister of Health in the province of Ontario. I stand alongside my Premier in recognizing that the responsibility on all of us who are in the privileged roles that we have is to abide by the best possible advice that is available, and that includes that which is on offer from the auditor's report. I haven't any doubt whatsoever that there are lessons that I can learn and that we can all learn because of the investigation that has occurred.

In the time that I spent there, I was dedicated to advancing the construction of the infrastructure that could support an electronic health record, and some progress was made in that regard. But first and foremost, Smart Systems for Health was a cesspool that was created on the watch of that party, that was laden with consultants. Through a dedicated effort, we sought to transform it to make sure it was a more effective delivery agent, building the—

The Speaker (Hon. Steve Peters): Thank you. Final supplementary.

Mr. Tim Hudak: Quite frankly, if there's anything the minister was in favour of advancing, it was career advancement and the bank accounts for his Liberal friends at these Liberal-friendly consultancies.

Minister, your fingerprints are all over this culture of entitlement that saw the handing out of untendered contracts to Liberal friends. You were the Minister of Health when this culture grew exponentially. The minister is a member of the Management Board that green-lighted this untendered-contract spending spree, and your closest advisers are now big winners in this spending bonanza. Minister, shouldn't there have been two resignations this morning?

Hon. George Smitherman: First the honourable member stands in his first question and says, "I want to ask you a direct question. Were you at the meeting?" I said no, but by his third supplementary, he's still relying on the same worn-out, partisan rhetoric that he has been relying on for some time.

How is it that the honourable member—

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock. Minister?

Hon. George Smitherman: As I previously said, I wasn't there for the meeting in question, but I think it's very important for the honourable member to recognize

that when he asks a question that talks about insiders and the like, we all know that he's part and parcel of these sorts of relationships that go back to the time of a previous government, when the high-paid consultants were actually people that had just previously served. And they didn't go out to private sector corporations; they went to public entities. That was the practice of the party that that member comes from. It has not been the practice of our government—

The Speaker (Hon. Steve Peters): Thank you. New question.

PREMIER'S RECORD

Ms. Andrea Horwath: My question is to the Premier. For months, Ontarians have slowly learned about the appalling misuse of precious health care dollars, first at eHealth Ontario and then at the Ministry of Health itself, and for months the Premier expressed complete faith in his Minister of Health. My question is this: Why did the Premier wait until last night to accept, finally, that minister's resignation? What's changed?

Hon. Dalton McGuinty: As I said a few moments ago, I felt it was appropriate in the circumstances to wait for the work to be completed by the Auditor General. We now all have the benefit of work that is thorough, objective and helpful. On the basis of that report, Minister Caplan tendered his resignation and I accepted that, but I again say to my honourable colleague: We did not wait for the report to take action.

We have ended practices that have been in place for decades, practices often adopted by governments of all political stripes, including Conservative governments and an NDP government. We said that is no longer acceptable. In particular, we have said that if you want to receive a contract as a consultant you must now be part of a competitive process. You cannot get that benefit just through a sole-source manner. We think that's an important step forward for Ontarians.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: For months and months we've seen scandal after scandal unfolding. Money that could have been invested in hospitals or in long-term-care beds was instead diverted into the pockets of well-connected insiders. Is this Premier seriously claiming that he didn't know the facts at all until today? And if he knew the facts, why did he keep defending that minister?

Hon. Dalton McGuinty: This honourable colleague as well persists in a line of attack which has now been discredited by the Auditor General. I think that if we're going to accept the auditor's report, we have the responsibility to accept it in its entirety.

Again, I want to repeat a passage from the report. It says: "[W]e were aware of the allegations that 'party politics' may have entered into the awarding of contracts and that those awarding the contracts may have obtained a personal benefit from the firms getting the work—but we saw no evidence of this during our work."

And then a moment ago, the auditor, in his scrum, added the following: "However, we found no evidence to

suggest that party politics were at play. As well, we saw no evidence to indicate that those who awarded the contracts obtained a personal benefit from the firms getting the work." I think he's been pretty clear, and I think we have the responsibility, all of us, to accept that.

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: Well, not only does this Premier turn a blind eye to the lack of work that his minister is doing; he turns a deaf ear to the question. I didn't say anything about who these particular insiders were connected to in any partisan way.

But what we do know is that the people of Ontario put their trust in the Premier to protect their precious health dollars, and here's what they see instead: local hospitals closing while millions are handed out to well-connected insiders; wait times for long-term care doubling while contracts worth millions and millions are handed out without any tendering process; and a government that has grown so arrogant that they've completely forgotten the people who they were elected to represent.

My question is this: Why should anyone believe the Premier's promises of change today when his fingerprints are all over this mess?

Hon. Dalton McGuinty: I accept the auditor's finding at the highest level, that we need to do more to bring better oversight to the management of dollars going through the Ministry of Health and, by extension, to its agencies. But I do not accept my honourable colleague's assessment that somehow we have not been moving forward together in health care during the course of the past six years. We're funding 1.69 million new procedures, and as a result we are reducing wait times in a dramatic fashion. Some 907,000 more Ontarians have access to family care. There are 14 new MRI machines and double the number of MRI hours of operation. We have close to 1,800 more doctors practising in the province of Ontario. We have, so far, 150 more family health teams now caring for 1.9 million Ontarians. We've hired more than 10,000 new nurses. We are building new hospitals in the province of Ontario. We have done much in health care.

1050

ELECTRONIC HEALTH INFORMATION

Ms. Andrea Horwath: My next question is also to the Premier. The Auditor General's report says that one billion precious health care dollars have been virtually flushed down the toilet, and nearly all of it was under the close watch of this Premier. If \$1 billion wasn't going to bring electronic health records to Ontario, it could have been used elsewhere. One billion dollars would pay for 11,250 full-time nurses, 34 million home care visits or 24,000 long-term-care beds. How could this Premier allow this to happen?

Hon. Dalton McGuinty: It is true that under two governments now there has been significant investment made in establishing our electronic health record system. But I would draw my honourable colleague's attention

again to the auditor's report, where he specifically says, "The value of this investment, at least to date, has not been realized," and that is true. Much has been done, but we are not there yet.

We have in place now a strategic plan which is designed to ensure that we get to where we all want to go. I know my honourable colleague is not suggesting that we stop moving ahead with this work. She is not suggesting that there is not a broad consensus in the Western world that it's important to have, as a part of the foundation in your health care system, an electronic health record system.

There has been considerable investment made. There has been a lack of oversight. We accept that, we recognize that, and we'll take steps to ensure that it doesn't happen again. But we will continue to move forward with the electronic health record system in Ontario.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: The Auditor General shows, in excruciating detail, the degree to which the McGuinty Liberals put insider consultants ahead of protecting precious health care dollars. The number of consulting contracts ballooned from one to 328, with a 4,000% increase in contract value. Over 40% of staff at eHealth were consultants, and they made up one quarter of senior management positions. High-priced consultants were paid hundreds of dollars an hour to write thank-you notes and edit voicemail greetings. The auditor ties this right back to the Premier's office. How could he and his two ministers have missed all of this?

Hon. Dalton McGuinty: One of the recommendations of the auditor that I am most eager to embrace is that we do what we can to upgrade the skill levels of those folks working inside the Ministry of Health, inside the Ontario public service, so that we can have a lesser reliance on consultants.

I am proud to report that, so far, we have reduced our use of consultants government-wide by 34% since 2002-03. When it comes to those folks who are involved in putting in place our electronic health record system, we have reduced our use of consultants by over 40% since the time of the previous government. There continues to be a number of consultants—I would argue, too many—involved in this process. We will work to further reduce those numbers, in keeping with the recommendation of the Auditor General.

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: Page 36: a 4,000% increase in consulting fees. That's what the auditor's report shows, along with millions in untendered contracts; \$700,000 in consultant salaries, on top of which they got all kinds of generous expense accounts; tampering with the bidding process; six years, one billion precious health care dollars out the door in wink-wink, nudge-nudge relationships with insiders.

The Premier is either willingly negligent, has been wilfully negligent on this file, or he is incredibly incompetent. Which is it?

Hon. Dalton McGuinty: Again, I think it's really important that we pay some attention to what the auditor had to say, and I want to be specific about our acceptance of responsibility. The auditor, if I might read between the lines, is basically saying that when it comes to the Ministry of Health, it doesn't matter that it's a huge ministry; it doesn't matter that there are 54 separate departments there, employing over 4,000 people; it doesn't matter that they also engage the work of consultants through agencies.

Ultimately, the buck stops with government. I accept that. We assume that responsibility. That is why Minister Caplan, earlier today, tendered his resignation. That's why we've taken steps to this point in time, and we will take more in keeping with the recommendations of the auditor to ensure that we bring greater oversight to all those activities taking place in the far reaches of the—

The Speaker (Hon. Steve Peters): Thank you. New question.

MINISTER'S RECORD

Mr. Norm Miller: My question is for the Minister of Finance and Chair of the McGuinty Management Board of Cabinet. In the wake of today's damning Auditor General's report, were you in attendance at the Management Board meeting that approved spending taxpayer dollars on untendered contracts for your friends?

Hon. Dwight Duncan: I was in attendance at the August 28 meeting.

You'll note, with respect to the IBM contract, that that's not in the auditor's report. The auditor came forward with an analysis that looked at processes, both at the Ministry of Health—with respect to the administration of contracts going forward. In addition to the steps that our government has taken already with respect to this, we welcome the auditor's recommendations and we will be moving on all of them.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Norm Miller: Well, to the minister, I didn't mention the auditor's report.

Again, to the Minister of Finance, given that you and your cabinet colleagues are implicated in the untendered contract binge at eHealth, why should Ontarians believe anything you say about putting an end to untendered contracts today?

Hon. Dwight Duncan: I will remind the member opposite that the practices in place both in the ministry and throughout government were in place under all previous governments.

We have taken steps. We are accepting responsibility to deal with the situations. We are going to move on the auditor's recommendations, and we will continue every day to bring the best oversight we can to these very important issues which mean a lot to Ontarians, and continue to make the investments in health care and education that are so important to the future health and vitality of our provincial economy.

SOINS DE SANTÉ HEALTH CARE

M^{me} France Gélinas: Ma question est pour le premier ministre. Aujourd'hui, le vérificateur général affirme que les libéraux ont permis de jeter par la fenêtre des centaines de millions de dollars. Son rapport est cinglant. Il parle de mauvaise gestion, de mauvaise supervision. Pendant ce temps-là, pendant que les dépenses injustifiées se produisaient, des salles d'urgence fermaient leurs portes, des hôpitaux fermaient des unités et les soins de santé mentale diminuaient, on mettait à pied 1 200 infirmières, le gouvernement retirait la physio, l'optométrie, la chiropractie et on reportait l'ouverture de nouveaux centres de santé communautaires.

J'aimerais savoir : que faisait le premier ministre pendant ce temps-là? Est-ce qu'il s'est fermé les yeux ou est-ce qu'il jouait l'autruche?

L'hon. Dalton McGuinty: Je remercie ma collègue pour cette question. Ça ne vous surprendra pas que je suis en désaccord avec cette ligne de questions.

Just as one example of the things that we've been able to do through health care, we've opened Canada's first nurse-practitioner-led clinic in Sudbury. Beyond that, we've now committed to opening more in different parts of the province because that experience has been so successful.

We accept responsibility for bringing greater oversight to the affairs of the ministry when it comes to the management of public dollars, but we also accept responsibility for making real progress in delivering better-quality health care in every Ontario community.

The Speaker (Hon. Steve Peters): Supplementary?

M^{me} France Gélinas: Ce n'est tout à fait pas la question que lui ai posée. On parle de mauvaise gestion, on parle de manque de supervision, on parle du rapport du vérificateur. Peut-être qu'en anglais ça va aller un peu mieux.

It seems that this government's priorities are out of order. They under-resource the programs like long-term care, like home care, like primary care. They cut \$20 million from Ontario's smoke-free strategy. They allow money to be handed to well-connected consultants, while Ontarians still don't have electronic health records. We have good examples right here in Ontario, like the Group Health Centre in Sault Ste. Marie or Sick Kids in Toronto. Why is it that this government's best and brightest can't launch a system with \$1 billion at its disposal? Why should we believe that next time will be the right time?

1100

Hon. Dalton McGuinty: We have, in fact, increased funding in health care by over a third; it may even be approaching 40%. That represents a significant new investment, and we've translated that into significant improvements in the quality of health care available for Ontario families. Whether you're talking about wait times coming down; whether you're talking about investment in new diagnostics, new kinds of treatments and new drugs and medications; whether you're talking about

investments in more nurses and doctors so that more Ontarians have access to better family health care; whether you're talking about opening up new frontiers like nurse-practitioner-led clinics; or whether you're talking about giving more authority to professionals, like our pharmacists and nurses, so they can take on more responsibility to improve quality of care for families, we've done a lot, and we'll continue to do more.

TAXATION

Ms. Leeanna Pendergast: My question this morning is for the Minister of Revenue. I have a question on behalf of my constituents in my riding of Kitchener-Conestoga who work in the scientific, the research and development and the computer services and software sectors. As an MPP in Canada's technology triangle, I know that this sector employs thousands of people. For example, there are Communitech, Open Text and RIM. RIM alone in Waterloo region employs 4,500 people; worldwide, RIM employs 14,000 people. The University of Waterloo provides employment to over 3,000 people in this sector.

The effect the HST will have on these industries continues to be a concern. These sectors and companies create good jobs, and they allow people to provide for their families in Ontario. Minister, what effect is the HST going to have on these vitally important sectors?

Hon. John Wilkinson: I thank my colleague for the question. In the 21st century, the jobs of the future are those jobs that are created by adding value. Under our tax reform, the most comprehensive tax reform in some 40 years, we are encouraging exactly those businesses that add value through innovation. For example, estimates show that Ontario's professional, scientific and technical services sector will save roughly \$455 million each and every year as a result of our tax reform, some \$380 million through the input tax credits that will now be part of the harmonized sales tax, another \$115 million a year through our corporate tax savings and another \$35 million through our capital tax inputs by eliminating the capital tax.

I say to my friend, who is very proud of being from Canada's technology triangle, that these are exactly the types of jobs in the 21st century that we need to have for our children and our grandchildren, and we will reform our tax system—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Ms. Leeanna Pendergast: I acknowledge that there is a great deal of support for this in the business sector and that it will create jobs in Ontario. On September 14, Telus said the HST will mean more investment in the province of Ontario. Bell Canada said the HST will mean accelerating investment in the province. GE Canada says the HST will generate savings and efficiencies in both business and government.

Minister, simply: Will the HST make Ontario more competitive and add more jobs?

Hon. John Wilkinson: It will indeed make Ontario more competitive and allow us to compete on the world stage. On this side of the House, we are for one sales tax. On the other side of the House, they are for two sales taxes. On this side of the House, we believe that money, through the HST, should go to income tax cuts for people and for businesses to help them be more competitive. On the other side of the House, they are opposed to \$15 billion worth of income tax relief for the good people of Ontario. On this side of the House, we believe that we have to modernize our tax system and get it into the 21st century where we compete today. On the other side of the House, they're still for the status quo. The twins of the status quo over there think that we should do nothing.

Our constituents know that the world has changed, and we're doing something about it. We refuse to freeze; we refuse to do nothing. There is something we can do, something we've been called upon to do, and now is exactly the right time to modernize our tax system to make sure that we're generating the jobs that we need to pay for the—

The Speaker (Hon. Steve Peters): Thank you. New question?

MINISTER'S RECORD

Mr. Robert W. Runciman: My question is to the Minister of Tourism, another member of Management Board of Cabinet. Were you one of the Management Board members who took part in the untendered-contract spending spree?

Hon. Monique M. Smith: I thank the member for his question. I'm trying to confirm whether or not I was there. My attendance at Management Board is about 90%, so I would say I was most likely there. I'm just trying to confirm that right now.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Robert W. Runciman: She may be embarrassed by the fact that she's admitting her attendance there.

Knowing what she knows now, if Minister Smith could go back in time, if we could all go back in time to that infamous Management Board meeting, why didn't the minister try to block untendered contracts from going through? Why didn't she stand up, show some courage and tell her colleagues that what they were doing was wrong?

Hon. Monique M. Smith: I'm actually quite proud of my attendance record. I think it's important to participate in all committees that we are assigned to.

I am happy to go back in time with my colleague and look at 1999 to 2003, when \$1.5-million sole-source contracts with IBM were awarded by his government. In the spring of 2000, then-Health Minister Witmer awarded a \$100,000 sole-source contract to Glen Wright. From the 2002 auditor's report, we know that IT sole-source contracts worth \$12.7 million were awarded—

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock. The member from Sarnia-Lambton will withdraw the comment he just made.

Mr. Robert Bailey: I withdraw.

The Speaker (Hon. Steve Peters): Thank you.

Interjections.

The Speaker (Hon. Steve Peters): If it quieted down on all sides of the House, I would love to continue, honourable member.

New question.

ELECTRONIC HEALTH INFORMATION

M^{me} France Gélinas: Ma question est encore une fois pour le premier ministre. I have listened intently this morning to everything that was said about eHealth. One billion dollars have been wasted and the electronic health record system is nowhere to be seen. Other jurisdictions do have eHealth records; Ontario does not. I would like the Premier to tell me this morning, tell me something, tell me anything that will convince me and other Ontarians that your government can deliver on this. I'm listening.

Hon. Dalton McGuinty: I don't pretend to be an expert in the matter, but I think we can have confidence in the auditor's report. I'm not sure if there's an electronic health records system up and running fully yet in any Canadian province, but we're all seized with the urgency of the matter and the sense of responsibility.

Again, I want to draw my colleague's attention to a statement made by the auditor today when he said, "The value of this investment, at least to date, has not been realized," and he makes a specific recommendation, as I recall, about a strategic plan and moving ahead with that. We will now rededicate ourselves to not only upskilling people within the public service, to making sure that when we do use consultants, we do so in a way that is entirely appropriate, proper and in keeping with the expectations of Ontarians, but we are absolutely committed and determined to put in place an electronic health record system that will ultimately improve the quality of care that's available for all Ontario families.

The Speaker (Hon. Steve Peters): Supplementary?

M^{me} France Gélinas: To put in place new rules—I trust the auditor just as much as everybody else. He goes on at length into showing that there were adequate rules, but we spent more time trying to get around them. Your own Ministry of Health went around their own rules by splitting contracts so they wouldn't meet the target. If all we're doing is changing rules, I have no confidence that we'll ever have an electronic health record.

The Premier has to realize the truth: The government has bungled this file. One billion dollars are gone. A lot of people, a lot of them connected to his government, are rich; the people of Ontario are \$1 billion poorer for it and we have not much to show for it.

The Auditor General says in his report, "Ineffective oversight and broken rules go together like a horse and carriage." My question is simple: Why should we have any confidence that this government will ever be able to deliver an electronic—

The Speaker (Hon. Steve Peters): Thank you. Premier?

1110

Hon. Dalton McGuinty: I'm not sure it's reasonable for me to expect that I will inspire the confidence, ever, of my colleague opposite, and I'm not sure it's her responsibility to show her confidence for me. But I can say this: We have invested heavily in building an infrastructure. It is there; it is in place. One of the very legitimate criticisms offered by the Auditor General is that we have yet to put in place the data to ensure that doctors can access, through that new system which is now built—we have yet to put in place the adequate data that will make this system helpful to doctors in the practice of medicine. That is what it ultimately comes down to. We have built the highway infrastructure, so to speak, but we have put an inadequate number of vehicles on the highway, to use the auditor's metaphor, and there's more work to be done.

GOVERNMENT SERVICES

Mr. Lou Rinaldi: My question is to the Minister of Government Services. Minister, the people of Ontario have increasingly high expectations of services they receive from the government. In many cases we expect them to be as good as, or better than, those of the private sector. We want convenient, accessible service delivered by staff who know what they're doing and who go the extra mile. We want results without red tape.

People in rural communities across Ontario want access to expanded services and the convenience of going to one location to fill all their health card, driver's licence and vehicle licensing needs. Can the minister please tell me what the government is doing to improve these services for the people of Ontario?

Hon. Harinder S. Takhar: Let me first of all thank the member from Northumberland—Quinte West for this very important question. This is Customer Service Week, and I want to take this opportunity to thank all the employees in the government who have been involved in providing service to about 13 million people. They handle about 44 million customer interactions throughout the year.

As the member said, it is important for the government to actually be very responsive to the needs of all Ontarians and provide customer service in a better way, the better way that we can find to provide customer service. I will highlight a few of those comments in my supplementary question. We are moving ahead with this.

Let me just say this: In rural Ontario alone, we are expanding health card services from two to 163 southern Ontario centres, and we are also going to provide options so they can get the service in person or they can—

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Lou Rinaldi: As the Premier has said before, it's clear that the Ontario public service is second to none. I'm pleased to hear the minister speak about the many improvements to government services. I'm also glad to

hear we are providing rural communities greater access to services, because there is a significant need to do so—which I know from listening to my constituency. In my riding alone, five offices will soon be offering driver's and vehicle licence services and health card services as well. I also understand that close to 95% of all Ontarians will be within 10 kilometres of an integrated ServiceOntario centre.

Will the minister tell us what further improvements my constituents and the people of eastern Ontario can expect?

Hon. Harinder S. Takhar: It is very important for us to provide excellent personal service so that people have easy and open access to all the services that we provide. That's why we are moving ahead with the streamlining and modernizing of our customer service centres in ServiceOntario. Right now the health card is provided in 27 locations. It will be provided in 300 locations, and people can get a driver's licence, a vehicle licence and customer service under one roof as we move forward.

In the southeastern region of Ontario there will be a significant increase in health card services: from the current four locations to almost 60 locations. It will be important to have service outlets in the right locations to meet the demand of our customers and provide them the excellent service that we can provide. The outcome will be improved access and streamlined service across every region of this province, and it will be—

The Speaker (Hon. Steve Peters): Thank you. New question.

MINISTER'S RECORD

Mrs. Julia Munro: My question is for the Minister of Consumer Services. Could you confirm whether you were in attendance at the Management Board meeting that handed out a massive \$30-million untendered contract to your friends at IBM?

Hon. Ted McMeekin: I want to thank the member opposite for the question. Like the Minister of Tourism, I strive to have a very good attendance record as well. Off the top of my head, I don't know that—I wasn't expecting that question—but we'll certainly check that.

I do want to reference some of the history here. I'm proud, as a member of treasury board and Management Board, that our government has moved quickly and knowingly to attempt, where possible, to reduce the number of consultants. There was a reference to the 40% reduction over the previous government. As a matter of history, I do know there's quite a bit of history on the other side when it comes to sole-sourcing. So you might want to check your attendance at various meetings as well.

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Julia Munro: Again to the minister: Your portfolio is responsible for protecting consumers from unscrupulous businesses. Do you consider Management Board's decision to shovel 30 million taxpayer dollars

out the door in an untendered contract to your friends at IBM a good example for Ontario businesses to follow?

Hon. Ted McMeekin: I just want to recall what was referenced not that long ago in response to a question—that the practice of occasional sole-sourcing of contracts is a practice that was used by all three parties and governments in this House over the years. It is a rare occurrence, and it's done invariably when the contract's services that need to be sourced are only capable of being delivered by the person receiving the contract. That was certainly the case with the IBM contract. IBM, as we know, was the only provider that could possibly have our systems interoperative, and it was largely on that basis and with the best advice we could get that the contract was awarded.

ABORIGINAL CHILDREN'S SERVICES

Ms. Andrea Horwath: My question is to the Premier. While squandering \$1 billion, the McGuinty government has cut \$4.2 million in funding from First Nations child welfare agencies. There is a real crisis facing Ontario's native children and youth, but this government is shamefully reducing the resources that these vulnerable, young children and youth rely on. They are disadvantaged kids, and we all know they are.

Will the Premier heed the urgent letters from First Nations chiefs and community leaders and agree today to a moratorium on any cuts to their child and family services agencies?

Hon. Dalton McGuinty: To the Minister of Aboriginal Affairs.

Hon. Brad Duguid: I thank the leader for asking that question. It's one of the few times that a very important issue like this has been raised.

I can tell you that the former Minister for Children and Youth Services has been working very hard, consulting vigorously with First Nation leaders as we try to resolve what is a very significant challenge. That is ensuring that First Nation leaders and First Nation communities are working in partnership with children's aid societies in ensuring that young people are getting the best possible care they can.

We're working in partnership; we're working together. It is a complex issue. It's a sensitive issue. I appreciate the leader raising it. It's something that does require a great deal of thought and a great deal of further discussion.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: The Minister of Aboriginal Affairs doesn't realize what's happening to these vulnerable and disadvantaged children. Shame on him. While well-connected consultants are cashing in, the budget of Tikinagan Child and Family Services was cut by more than \$2.1 million. Payukotayno James and Hudson Bay Family Services suffered a \$1-million cut. Weechi-it-te-win Family Services lost \$941,522. The Association of Native Child and Family Services Agencies of Ontario has lost its funding entirely and is on the brink of closure.

Will this Premier address the child welfare funding shortfall and ensure that resources serving some of Ontario's most vulnerable children are fully restored?

1120

Hon. Brad Duguid: We realize the importance of working with First Nations communities and investing in those young children, the fastest-growing young population in our province. That's why we're investing \$98.5 million in six aboriginal children's aid societies. That's why we're investing \$22.6 million in child well-being and prevention initiatives on reserves, jointly funded with the federal government. That's why we have 300 new affordable child care spaces for First Nations through Best Start. That's why we're investing \$15.5 million annually with First Nations, Metis and Inuit through education grants for school boards. That's why we're investing \$8.5 million to support Healthy Babies, Healthy Children programs for First Nation infants. That's why we're investing \$4.4 million for aboriginal fetal alcohol spectrum disorder and child nutrition programs. I can go on.

We're working in partnership with First Nations communities. We recognize the importance of this issue, and we're—

The Speaker (Hon. Steve Peters): Thank you. New question.

INTERNATIONAL TRADE

Mr. Wayne Arthurs: My question is for the Minister of Economic Development and Trade. It's undeniable that these are difficult economic times, and Ontario, like many other jurisdictions around the world, is not immune to the negative effects of this global downturn.

We've heard from the minister in this House about the many ways in which the government is working within the borders of this province to create and maintain jobs for the people of Ontario, and I applaud her and her officials for their efforts. However, it seems that these days it's difficult to open a newspaper or read a business report that fails to make mention of the many virtues of the new and emerging markets currently arising around the globe.

In light of this, and the fact that the global economy is becoming increasingly connected, I ask the Minister of Economic Development and Trade: What is your ministry doing to reach out to these emerging markets in order to increase Ontario's profile on an international level and create a stronger economy here at home?

Hon. Sandra Pupatello: I'm very pleased that this member in particular is focused on the world, as Ontario needs to be, because everyone in the Legislature knows that we are an export jurisdiction. It's time to take our message out and around the world.

Over the course of the last several years, we've moved to create 10 international marketing centres. Several of these are in emerging markets. We're pleased to see the kind of take-up we have by these new markets looking at Ontario for a place to invest.

Over the course of the last three years, I've participated in over 20 missions, taking the—

Interjections.

The Speaker (Hon. Steve Peters): Sorry, Minister. The member from Hamilton East will please come to order.

Hon. Sandra Pupatello: I know the member from Hamilton will be pleased to see that some of our outreach is, in fact, for the benefit of the area of Hamilton.

But this has culminated in over 44 investment projects, representing over 5,400 new jobs here in the province of Ontario. We're not finished, and we have more work to do.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Wayne Arthurs: Thank you, Minister. It's reassuring to know that the province is working aggressively to promote Ontario's competitive advantages abroad. By the sound of your answer, the efforts of the ministry and the government are having a tangible effect here at home in terms of job creation and capital investment.

In your answer, Minister, you made mention of a number of places that you yourself have travelled to in order to promote Ontario. One of these countries, a country that is currently being described in the media and business reports as a new economic powerhouse, is India. Ontario currently has a strong economic relationship with India. In 2008, two-way trade between Ontario and India was valued at \$1.69 billion, or 37% of total Canada-India trade. Ontario's domestic exports to India were \$387 million, and our imports for the same period were \$1.3 billion.

For this reason, I'm wondering, could the minister please give the House some recent examples of what the ministry and this government is doing to build upon the current economic relationship—

The Speaker (Hon. Steve Peters): Thank you. Minister?

Hon. Sandra Pupatello: I hope this House will be pleased to note that we have opened an office in New Delhi and we have now staff in Mumbai—key cities in India. It's true that India represents the fourth-largest economy in the world and one that Ontario has to have a strong foothold in.

We're working diligently to meet companies, many large companies, which have the largest percentage of their business outside of India, and we want that to come to Ontario. In particular, just recently, I returned from India, where we promoted the upcoming Premier's mission, which will have a focus on clean technology. Our Premier will lead 30 companies in the clean tech space to not just convince companies in India to partner with our companies, but to look for opportunities for our products to be expanded and exported to India. India is just the start. We have great Ontario companies, and we're bringing our companies to the world.

MINISTER'S RECORD

Ms. Lisa MacLeod: My question is for the Vice-Chair of Management Board and the minister without

portfolio. Today's North Bay Nugget says, "Nipissing MPP Monique Smith was among the ministers who signed off on a \$30-million untendered contract for eHealth in November 2008. The contract went to IBM and was approved by Smith and six" of the Management Board colleagues.

Will you be able to confess to this House today that you were indeed at that meeting?

Hon. Gerry Phillips: Because it's a question regarding the Management Board, I refer the question to the Chair of the Management Board.

Hon. Dwight Duncan: My colleagues and I on the Management Board—and the Deputy Chair has, I think, a spotless attendance record and likely would have been at that meeting. The contract the member referenced has not been talked about in the auditor's report. I will point out, however, that the auditor does make recommendations with respect to how we administer contracts both in ministries and at the Management Board level. We welcome those recommendations, and we will be acting on them.

In instances cited in the report itself, he points out challenges and he points out that we followed the rules at Management Board. The rules themselves need clarification to ensure greater accountability and greater transparency.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Lisa MacLeod: Again to the Vice-Chair of Management Board, he might be the minister without portfolio, but he is not the minister without sin in this case. The North Bay Nugget, I repeat, from today, says, "Nipissing MPP Monique Smith was among the ministers who signed off on the \$30-million untendered contract for eHealth in November 2008. The contract went to IBM and was approved by Smith and six colleagues on the Management Board of Cabinet."

Interjections.

Ms. Lisa MacLeod: The interjection by the Minister of Tourism suggests that her own North Bay Nugget is always wrong. Perhaps, given this—

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock.

Please continue.

Ms. Lisa MacLeod: Given that a quarter of the cabinet of Mr. McGuinty were accomplices in the bonanza of untendered contracts at eHealth, minister without portfolio, don't you agree that Dalton McGuinty lacks any credibility?

Hon. Dwight Duncan: My colleagues and I in Management Board, indeed in government, have taken a number of steps to ensure greater accountability and greater transparency in all matters related to tendering and contracts.

In the auditor's report, he identified a serious issue with respect to the rules around tendering. He has made a number of recommendations. We will move on those recommendations. All of my colleagues and I have worked hard to provide for greater transparency and accountability. I believe the recommendations the auditor

has brought forward achieve that. I would remind the member opposite that other governments have done this. For instance, there was a \$1.5-million sole-source contract to IBM under their party; a \$100,000 sole-source contract to Glen Wright. We have a long list of these, and we'll continue to review them. We're delighted to have the opportunity to make—

The Speaker (Hon. Steve Peters): Thank you. New question.

SERVICES FOR THE DISABLED

Ms. Cheri DiNovo: My question is for the Minister of Community and Social Services. My question is on behalf of my constituent Teddy Paterson, who was born with cerebral palsy. He's up in the Speaker's gallery with his father. I first introduced Teddy on May 15, 2008, and again on March 4, 2009. Today, after hearing of \$1 billion in wasteful health care spending, the Patersons are here again asking why they cannot get the necessary basic support for Teddy.

Why does the minister continue to ignore the plight of Teddy Paterson?

1130

Hon. Madeleine Meilleur: I want to thank the member for her question. As she knows, I cannot talk here in the House about specific cases. The only thing I can say is that this government is very sensitive to the needs of those with special needs and we have been investing since we have been in power. We have been increasing that budget every year. But do we have enough to satisfy every person in need in Ontario? No, we don't, but this government continues to work to make sure that we will be able to meet the requirements of all those in need, including the gentleman in the gallery.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Cheri DiNovo: Here are the facts: \$1 billion wasted, Liberal insiders rewarded, and people like the Patersons continue to wait for support. In Toronto alone, 580 families who would otherwise qualify for funding are waiting endlessly for assistance and receiving absolutely nothing. The reality is that some families receive very limited funds while others, like the Patersons, receive absolutely nothing. In the past, Madame Meilleur has said that she cannot get personally involved in this case. If the minister can't help the Patersons, who can?

Hon. Madeleine Meilleur: The member should know that the minister doesn't get involved in specific cases, but when they have concerns, they come to me and then I refer them to the staff, who work very closely with them. So staff are working closely with the Paterson family, but there is more need than there is money in the budget.

Every year we are increasing the budget. We will continue to do so. For instance, since last July, social assistance increased by 17%. This government plans in advance. The downturn of the economy is very damaging for a lot of people we serve, but we will continue to do our utmost to make sure that we continue to increase the budget and get help to this gentleman in the gallery.

SKILLED TRADES

Mr. Eric Hoskins: There is no doubt that Ontario is facing some very challenging economic times right now, but we cannot lose sight of the future. Ontario's competitive advantage depends on having the skills and talent necessary to compete in today's global marketplace. It is imperative that we make the necessary investments today to ensure that Ontario emerges from this downturn stronger than before.

A key element to this is the skilled trades. The importance that sector plays in Ontario's economic future cannot be underestimated. These are the women and men who are building the Ontario of tomorrow. Numerous reports and studies point to a skilled trades shortage in the near future. A study by the Conference Board of Canada finds that by 2020 Canada could be short one million skilled workers due to declining birth rates and an aging population.

My question is for the Minister of Training, Colleges and Universities. What are you doing to ensure that Ontario has a steady supply of skilled labour for the years to come?

Hon. John Milloy: I thank the member for the question. I'm very proud to say that we're a government that has increased the number of apprentices in the province by 60,000 since we took office. In our first term, we set a target of increasing the number of registrations by 25%; we've met that and we have further targets this term that we're meeting.

At the same time, we're building on the success of apprenticeship programs through the expansion of capacity at our colleges and training centres—

Hon. Jim Watson: Like where?

Hon. John Milloy: Such as Algonquin College, as the member references.

We've also taken a look at the apprenticeship system as a whole. A few years ago, my predecessor, now the Attorney General, commissioned an expert report by Tim Armstrong, a noted expert in the field. Mr. Armstrong came back with a recommendation to establish a college of trades. As a result of that, we asked Kevin Whitaker, the head of the Ontario Labour Relations Board, to consult and come forward with a report, which he brought forward this spring, that formed the basis of—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Eric Hoskins: When I talk with young people in St. Paul's about their plans following high school, I'm always amazed at the number of students who are not considering a career in the skilled trades. I believe we need to do more to reach out to young people to demonstrate the merits of this career path.

I also hear from young people about the barriers they face when considering an apprenticeship. I understand that at times it can be difficult to find an employer willing to take them on. During their training, some apprentices face obstacles in completing their training, such as language, academic and cultural barriers.

I'm also aware of the long-standing issue of ratios. We have heard many different opinions on this over the last couple of years, including calls for a depoliticized process that will allow professionals within their trade to make such decisions.

The minister referenced the college of trades. With all that is currently facing the skilled trades system, could you elaborate on how this college will address the issues I have outlined and others?

Hon. John Milloy: As I mentioned in my first answer, we have legislation before this Legislature to establish this college of trades. If passed, it would create a self-regulatory college similar to the college of physicians or the college of teachers, which would have as its number one aim promoting apprenticeships among young people, making sure that more people are coming into the skilled trades and receiving proper training. At the same time, it would also provide a level playing field for all those interested to come forward and deal with a variety of issues that are facing the apprenticeship system today, such as ratios. The honourable member mentioned compulsory certification; that is another. The absence of women in the skilled trades is a huge challenge; so we have to have more women. We have to be more welcoming to new Canadians who come forward. The college of trades would have all this within its mandate and serve as a point of reference for all those involved to come forward and come out with meaningful solutions and policies in a self-regulatory fashion.

DEFERRED VOTES

TIME ALLOCATION

The Speaker (Hon. Steve Peters): We have a deferred vote on government notice of motion 140, on allocation of time on Bill 183, An Act to revise and modernize the law related to apprenticeship training and trades qualifications and to establish the Ontario College of Trades.

Call in the members. This will be a five-minute bell.

The division bells rang from 1136 to 1141.

The Speaker (Hon. Steve Peters): Ms. Smith has moved government notice of motion number 140. All those in favour will rise one at a time and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia
Arthurs, Wayne
Balkissoon, Bas
Bartolucci, Rick
Bentley, Christopher
Berardinetti, Lorenzo
Best, Margaret
Bradley, James J.
Brown, Michael A.
Brownell, Jim
Cansfield, Donna H.
Chan, Michael
Colle, Mike
Crozier, Bruce
Delaney, Bob

Fonseca, Peter
Gerretsen, John
Gravelle, Michael
Hoskins, Eric
Hoy, Pat
Jaczek, Helena
Jeffrey, Linda
Johnson, Rick
Kular, Kuldip
Kwinter, Monte
Leal, Jeff
Levac, Dave
Mangat, Amrit
McGuinty, Dalton
McMeekin, Ted

Moridi, Reza
Oraziotti, David
Pendergast, Leeanna
Phillips, Gerry
Pupatello, Sandra
Ramal, Khalil
Ramsay, David
Ruprecht, Tony
Sandals, Liz
Sergio, Mario
Smith, Monique
Smitherman, George
Sousa, Charles
Takharr, Harinder S.
Van Bommel, Maria

Dombrowsky, Leona
Duguid, Brad
Duncan, Dwight
Flynn, Kevin Daniel

McNeely, Phil
Meilleur, Madeleine
Milloy, John
Mitchell, Carol

Watson, Jim
Wilkinson, John
Wynne, Kathleen O.
Zimmer, David

The Speaker (Hon. Steve Peters): All those opposed?

Nays

Amott, Ted
Bailey, Robert
Barrett, Toby
Dunlop, Garfield
Elliott, Christine
Hampton, Howard
Hardeman, Ernie
Hudak, Tim

Jones, Sylvia
MacLeod, Lisa
Marchese, Rosario
Martiniuk, Gerry
Miller, Norm
Miller, Paul
Munro, Julia
O'Toole, John

Ouellette, Jerry J.
Prue, Michael
Runciman, Robert W.
Savoline, Joyce
Shurman, Peter
Sterling, Norman W.
Witmer, Elizabeth
Yakabuski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 57; the nays are 24.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Motion agreed to.

The Speaker (Hon. Steve Peters): There being no further business, this House stands recessed until 3 p.m.

The House recessed from 1145 to 1500.

MEMBERS' STATEMENTS

MENTAL HEALTH

Ms. Sylvia Jones: I'm pleased to rise today to acknowledge this national mental health week.

As a member of the Select Committee on Mental Health and Addictions, spearheaded by my colleague Christine Elliott, I had the opportunity this summer to listen to families and practitioners from across the province who are concerned about the level of mental health services available in Ontario.

I learned much during this summer during our presentations. Mental health is not just a health issue. It affects our housing, justice, children and youth, and aboriginal affairs ministries, to name a few.

As harmful as the mental illness itself is, the stigma and discrimination that comes along with it has its own challenges. We must remember: Mental illness is just that—an illness. It deserves to be treated just like diabetes or cancer.

It was important for our committee to have the opportunity to hear from individuals and families who know what it is like living with a mental illness every day. For that, I thank them for taking the opportunity to teach us about what we can do to improve mental illness services across Ontario.

I'm looking forward to continuing to work toward completing the final report so that we can move forward in assisting all Ontarians dealing with mental illness.

EVERGREEN HOME AND COTTAGE INC.

Mr. Rick Johnson: It gives me great pleasure to rise and speak about a great family success story in my

riding. In March of this year, I had the pleasure of attending the Lindsay and District Chamber of Commerce's Evening of Excellence. That evening, Randy Burke of Evergreen Home and Cottage/EverGreen Power Solutions received the Friend of Youth award for their continued support of local youth through the OYAP program and regular assistance with local high school co-op placements.

Both the construction and electrical divisions of this growing company maintain their maximum ratios of apprentices on staff, participating in the training of tomorrow's tradespeople. His company is a case study of local innovation spurred by supportive government programs.

Along with his son, Tim Burke, they have recently approached school boards across the province with his plan to put 10-kilowatt solar panel generators on the roofs of schools. Students will be able to monitor their school's electrical generation, and schools will be able to earn approximately \$10,000 annually through the feed-in tariff rates. Evergreen is proposing to provide green energy solutions while allowing individual schools to each earn extra money for school programs.

Born out of the soils of the Green Energy Act and the green schools initiative, this initiative will reap dividends that will build on our government's commitment to create the most rewarding scholastic and green environment for our province's children.

In the shift from the old dirty energy to green renewable technology, I hope you will all join me in celebrating an example of the great projects we can look forward to in my riding of Haliburton-Kawartha Lakes-Brock and across the province.

ONTARIO AGRICULTURE WEEK

Mr. John O'Toole: Agriculture week is a time to celebrate. You should know as well, Mr. Speaker, that the celebration last night with the Greenbelt Diversity program entertainment and, earlier this morning, the Holland Marsh Vegetables—Treasure Them breakfast provided this morning are just two examples of how we all support agriculture.

In my community, we celebrate the diversity and bounty of the Ontario harvest—of course, part of Thanksgiving as well.

I want to thank Bert for his long-time commitment to agriculture when he was here; the member from Perth, I think it was.

Ms. Sylvia Jones: Bert Johnson.

Mr. John O'Toole: Bert Johnson, yes.

Ontario farmers contribute billions each year to the economy, with farmers' markets alone having an economic impact of \$1.9 billion per year.

The diversity of agriculture can be seen in my own riding of Durham, where farmers produce everything from fruit and vegetables to meat, milk, eggs and Christmas trees.

I would like to pay tribute to Durham Farm Fresh Marketing Association, a 2009 winner in the regional

awards for innovation and excellence. Close to 20 farm locations were honoured at a farmers' forum and feast organized as a benefit for the St. Francis of Assisi church in Newcastle last weekend.

In north Durham, the corn maze at the farm of Steve and Lisa Cooper, in Zephyr, was recently the subject of a feature on Breakfast Television.

Congratulations to Kirk Kemp, president of Algoma Orchards, for their new, state-of-the-art apple processing and storage facility, with a country market. Algoma recently won a Greater Oshawa Chamber of Commerce Business Excellence Award.

Whether it's agri-food, agri-tourism or agribusiness, Durham region farmers are leaders. As we celebrate Thanksgiving, let's all recognize and support the farmers of Ontario, who put food on our table. And Happy Thanksgiving to all.

JOB SECURITY

Mr. Paul Miller: At noon today, former Nortel workers from across this province came to Queen's Park in a mass protest rally. Many may join us later on this afternoon in the Legislature. These workers are at very serious risk of losing their pensions, severance pay and benefits as Canadian companies like Nortel go into bankruptcy. Their message to each MPP in this Legislature is that workers who helped build successful companies are being discriminated against, cheated out of what is owed to them and now face financial ruin. This is not something to be fobbed off to the federal government. We all want to ensure secure retirement with dignity for the many workers who built this province, a province that should be protecting the severance, pensions and benefits of every Ontario worker.

The Liberal government has the opportunity to address these serious issues right now. It should move Bill 6, the Employment Standards Amendment Act (Wage Security), 2007, immediately to public consultations and they should immediately reverse the damaging clause in the spring budget that absolved the government of its historic responsibility to backstop the pension benefits guarantee fund.

It's time that the government stood up for Ontario's emerging seniors. They have the time to become even more politically active, and this government should be very concerned if it doesn't move to protect them now.

CALYPSO PARK LE PARC CALYPSO

Mr. Jean-Marc Lalonde: Yesterday I had the pleasure of attending an event site tour of the Calypso theme water park in the village of Limoges in my riding. During the event, Mr. Guy Drouin, president and CEO of Le Groupe Village Vacances Valcartier, presented the full scope of this magnificent water park. When completed, the 450-acre water park will be the largest in Canada and will create over 500 new jobs.

On s'attend à ce que ce projet générera des retombées économiques de 750 \$ millions sur une période de 10 ans pour la région de la capitale nationale et de l'est ontarien. Ce parc aidera à attirer de jeunes familles à la région.

With the official opening schedule for June 7, 2010, the park is now 80% completed. Calypso is the outcome of a \$45-million investment. The McGuinty government, through the rural economic development fund, provided \$2 million for this project. I would like to thank the Minister of Agriculture, Food and Rural Affairs for supporting this project and to acknowledge the very hard work of Mr. Drouin, the Calypso team and the mayors of Prescott and Russell.

LONG-TERM CARE

Mr. John Yakubuski: It's a pleasure to rise and deliver a statement this afternoon in the House. First of all, I want to congratulate the Honourable Deb Matthews on her appointment as the Minister of Health and Long-Term Care today. But I want to caution her not to get caught up in all of the photo ops that she may be asked to participate in in the next few days and not to forget about our people in the long-term-care homes. There is a looming crisis that this government had been ignoring for some time in the long-term-care sector.

The fact is that our government, when we were in power, redeveloped 20,000 long-term-care beds, which went a long way to alleviating the crisis that was going on at that time that we were left with when we came into office. As of right now, this government is doing very little to deal with what we have. The problem is that we have alternative-level-of-care patients in hospitals who would be better served if they were in long-term-care homes, but this government is not doing enough to redevelop and develop new beds in long-term-care homes so that we can take the pressure off our hospital system and have these people in the proper kind of facility that is designed for their needs. We've got the people in hospitals, tying up acute care beds, when really we should have them in long-term-care homes. It is a fact that this government has been ignoring that issue since 2003, since it became elected, and this is becoming more and more of a crisis every day. I say to the new Minister of Health: Get it done; it's an important thing for this province.

1510

STUDENT ACHIEVEMENT

Mrs. Maria Van Bommel: I rise today to speak about the government's commitment to help Ontario's youngest students get the education they need to succeed. This September, elementary students in my riding of Lambton-Kent-Middlesex returned to smaller class sizes, better access to specialized teachers and more resources aimed at improving student achievement.

In 2003 our government made a commitment that every primary class would have no more than 23 students and 90% of primary classrooms would have 20 students

or fewer. Today, 100% of the primary classes in Lambton–Kent–Middlesex and Ontario have 23 students or fewer, while 90.3% have 20 or fewer.

Smaller class sizes mean more one-on-one attention with teachers and a chance to engage students at a very young age. It also provides the recourse for students to master fundamentals such as reading, writing and mathematics before they have a chance to fall behind. I was going to say “arithmetic”; that ages me a little bit.

Our government believes that no child should get lost in the crowd. That’s why we’re investing \$5 billion more now than we did five years ago—and we’re seeing the results. Class sizes are down, test results are up and more students are graduating. We are proud of what we have accomplished but realize there’s still more to do. I promise my constituents that I will continue to work with the school boards of my riding to ensure that public education in Ontario and Lambton–Kent–Middlesex is the best it can be.

LE DRAPEAU FRANCO-ONTARIEN

M. Phil McNeely: Le 25 septembre 2009, j’ai eu le privilège d’assister à la cérémonie du lever du drapeau franco-ontarien à l’hôtel de ville d’Ottawa. Ce vibrant symbole a été hissé pour la première fois à l’Université Laurentienne le 25 septembre 1975, il y a donc 34 ans. Il a été créé dans le but d’inspirer la communauté francophone et de nourrir un sentiment d’amitié et de fraternité renouvelé.

Ses deux symboles sont la fleur de lis, qui traduit notre appartenance à la francophonie internationale, et la fleur de trille, qui nous identifie en même temps comme Ontariens et Ontariennes à part entière.

Cette année, le gouvernement a adopté une nouvelle définition de la population francophone afin de la rendre plus inclusive. Nous avons maintenant le choix d’inclure le drapeau franco-ontarien sur nos plaques d’immatriculation.

Au fil du temps, le drapeau franco-ontarien est devenu plus qu’un simple symbole; il est un emblème sous lequel peuvent s’unir les francophones de toutes les communautés. Il symbolise le patrimoine francophone et l’harmonie entre les deux nations fondatrices de notre province.

J’invite tous les membres à célébrer l’anniversaire de notre drapeau franco-ontarien et notre précieux patrimoine.

TAXATION

Mr. Bob Delaney: As products go through what is called the supply chain, Ontario’s coming single sales tax will enable companies to save their buyers money by getting rid of between 2% and 5% of total costs, which is embedded sales tax that ultimately you, the buyer, end up paying for. If there were only five steps between when the raw materials came together and the time you bought the product, this embedded PST could vary between 19% and 38% of your purchase price. All Ontario wants you

to pay is 8%. Only the half-the-story parties want Ontarians to keep paying an extra 10% to 30% of their purchase price in tax.

The \$1,000 in tax-free transitional payments that every family will receive in three instalments between 2010 and 2011 will pay the taxes on some \$12,000 worth of purchases that are not now taxed. The annual tax-free sales tax credit will pay the taxes on \$3,120 of purchases per person on things that are not subject to the PST but will be subject to the harmonized sales tax.

All this money will stay in the wallets of Ontario taxpayers, and that’s why Ontario’s harmonized sales tax will help people save more of their money.

INTRODUCTION OF BILLS

CLIMATE CHANGE AWARENESS ACT, 2009

LOI DE 2009 SUR LA SENSIBILISATION AUX CHANGEMENTS CLIMATIQUES

Mr. McNeely moved first reading of the following bill:

Bill 208, An Act to increase awareness of climate change / Projet de loi 208, Loi visant à augmenter la sensibilisation aux changements climatiques.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The member for a short statement.

Mr. Phil McNeely: This bill intends to name April 21 of every year, the day before Earth Day, Climate Change Awareness Day. It mandates that the Ontario government, through the Ministry of the Environment and the Ministry of Education, provide students in our schools with an annual report card and parameters which are indicators of climate change. These indicators include the lowest level of Arctic ice cover for the year, the population of polar bears in Ontario and the greenhouse gas production of our province and our country.

Our youth understand climate change and the need to take action. This annual day of climate change awareness and the report card will help our youth to lead us on this issue of climate change.

RESIDENTIAL TENANCIES AMENDMENT ACT (RENTAL INSURANCE), 2009

LOI DE 2009 MODIFIANT LA LOI SUR LA LOCATION À USAGE D’HABITATION (ASSURANCE DES LOYERS)

Mr. Prue moved first reading of the following bill:

Bill 209, An Act to amend the Residential Tenancies Act, 2006 with respect to landlords’ obligation to provide rental insurance / Projet de loi 209, Loi modifiant la Loi de 2006 sur la location à usage d’habitation à l’égard de

l'obligation des locateurs de souscrire une assurance des loyers.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The member for a short statement.

Mr. Michael Prue: This bill amends the Residential Tendencies Act, 2006, by creating an obligation for every landlord to obtain and maintain insurance for every residential complex containing five or more rental units and to obtain and maintain insurance for the tenants' personal property within each rental unit. The insurance premiums for each individual unit are added to the rent of the tenant, thereby creating an insurable interest. A tenant may be exempt from paying the insurance premiums as part of his or her rent if proof of alternative insurance coverage is provided to the landlord in the prescribed form.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Brad Duguid: I seek unanimous consent to put forward a motion without notice regarding private members' public business.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

Hon. Brad Duguid: That, notwithstanding standing order 98(g), notice for ballot item 38 be waived.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

Motion agreed to.

PETITIONS

CHILD CARE

Mr. John O'Toole: I'm pleased to present a petition from the riding of Durham which reads as follows:

"Whereas the Minister of Community and Social Services, Madeleine Meilleur, has decided that grandparents caring for their grandchildren no longer qualify for temporary care assistance; and

"Whereas the removal of the temporary care assistance could mean that children will be forced into foster care; and

"Whereas the temporary care assistance amounted to \$231 per month, much less than a foster family would receive to look after the same children if they were forced into foster care;

"We, the undersigned, petition the" McGuinty government and the "Legislative Assembly of Ontario to immediately reverse the decision to remove temporary care assistance for grandparents looking after their grandchildren."

I'm pleased, as a grandparent, to sign and endorse this petition on behalf of my constituents of the riding of Durham and present it to Kingsong.

TAXATION

Mr. Michael Prue: I have a petition that reads as follows:

"Whereas the McGuinty government's March 26, 2009, budget introduced a harmonized sales tax to be implemented on July 1, 2010; and

"Whereas the harmonization will have a deleterious effect on all Ontarians, merging the GST and the PST to a regressive 13%; and

"Whereas new home buyers will be forced to spend 6% more on any property above \$500,000; and

"Whereas additional taxes will be levied on properties between \$400,000 and \$500,000 on a sliding scale; and

"Whereas rentals of commercial property will now be taxable for the first time; and

"Whereas legal fees, appraisals, commissions, home inspections, moving costs and other services associated with purchases of property are now subject to HST;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the McGuinty government not implement the harmonized sales tax, particularly where it relates to the sale of property and especially at this time of economic slowdown and recession."

It is signed by a number of real estate agents in the city of Toronto. I'm in agreement and would affix my signature thereto.

1520

SOCIAL SERVICES FUNDING

Mr. Bob Delaney: I have a petition addressed to the Ontario Legislative Assembly. I especially would like to thank Vicky Lowrey and Sandra Chiodo, both of Mississauga, for having collected the signatures. It reads as follows:

"Whereas the population in Peel has tripled from 400,000 residents to 1.2 million between 1980 to present. Human services funding has not kept pace with that growth. Peel receives only one third the per capita social service funding of other Ontario communities; and

"Whereas residents of Peel cannot obtain social services in a timely fashion. Long waiting lists exist for many Peel region service providers. The child poverty level in Peel has grown from 14% to 20% between 2001 and 2006, and youth violence is rising; and

"Whereas Ontario's Places to Grow legislation predicts substantial future growth, further challenging our already stretched service providers to respond to population growth;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the province of Ontario allocate social services funding on the basis of population size, population

growth, relevant social indicators and special geographic conditions;

"That the province provide adequate growth funding for social services in Peel region; and

"That Ontario develop, in consultation with high-growth stakeholders, a human services strategy for high-growth regions to complement Ontario's award-winning Places to Grow strategy."

I support this petition; I'm pleased to affix my signature and to ask page Elizabeth to carry it for me.

TAXATION

Mrs. Julia Munro: "To the Legislative Assembly of Ontario:

"Whereas the McGuinty government's plan to 'harmonize' the PST and the GST will result in Ontario taxpayers paying 8% more for a multitude of products and services; and

"Whereas the 8% tax increase will increase the cost of services such as housing and real estate services, gasoline, hydro bills, home heating fuel, Internet and cable bills, haircuts, gym memberships, legal services, construction and renovations, car repairs, plumbing and electrical services, landscaping services, leisure activities, hotel rooms, veterinary services for the family pet and even funeral services; and

"Whereas Ontario taxpayers cannot afford this tax grab—particularly in the middle of a recession;

"We, the undersigned, petition the Legislative Assembly of Ontario to direct the government of Ontario to abandon the sales tax increase announced in the 2009 budget."

As I am in agreement, I have affixed my signature, and give it to page Kingsong.

DIAGNOSTIC SERVICES

M^{me} France Gélinas: I'm glad to present this petition from the people of Nickel Belt, who are asking for a PET scanner for northeastern Ontario. It reads as follows:

"Whereas the Ontario government is making ... PET scanning a publicly insured ... service available to cancer and cardiac patients ...; and

"Whereas, by October 2009, insured PET scans will be performed in Ottawa, London, Toronto, Hamilton and Thunder Bay; and

"Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine;

"We, the undersigned, petition the Legislative Assembly of Ontario to make PET scans available through the Sudbury Regional Hospital, thereby serving and providing equitable access to the citizens of northeastern Ontario."

This brings to 2,000 the number of people who have signed. I support them, will affix my signature and send it to the table with page Jacquelyn.

SALE OF DOMESTIC WINES AND BEERS

Mr. Khalil Ramal: I'm pleased to stand up and read a petition that was given by the Ontario Korean Businessmen's Association. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the province of Ontario restricts the sale of beer and wine to the LCBO, the Beer Store and a few winery retail stores; and

"Whereas other provinces ... have been selling beer and wine in local convenience stores for many years without any harm to the well-being of the public; and

"Whereas it is desirable to promote the sale of beer and wine in a convenient manner consistent with a contemporary society; and

"Whereas it is essential to support local convenience stores for the survival of small businesses; and

"Whereas it is obvious from the current market trends that the sales of wine and beer in convenience stores is not a question of 'if' but 'when';

"We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Liquor Control Act to permit the sale of beer and wine in local convenience stores to the public throughout the province and to do it now."

TAXATION

Mr. Gerry Martiniuk: I have a petition provided to me by Royal LePage Crown Realty Services Inc. and Gadsby's Clothing Co. Inc. which reads:

"Whereas Dalton McGuinty said he wouldn't raise taxes in the 2003 election, but in 2004 he brought in the health tax, the largest tax hike in Ontario's history, but he still cuts health care services and nurses; and

"Whereas Dalton McGuinty will increase taxes yet again on Canada Day 2010, with his new 13% combined GST, at a time when families and businesses can least afford it; and

"Whereas Dalton McGuinty's new 13% combined GST will increase the cost of goods and services that families and businesses buy every day, such as: coffee ... gas at the pumps, home heating oil and electricity, postage stamps, haircuts, dry cleaning, home renovations, veterinary care, arena ice and soccer field rentals, Internet fees, theatre admissions, funerals, courier fees, fast food sold for \$4, bus fares, golf green fees, gym fees, snowplowing, bicycles, taxi fares, train fares, domestic air travel, accountant services and real estate commissions;

"We, the undersigned, petition the Legislative Assembly ... as follows:

"That the Dalton McGuinty government wake up to Ontario's current economic reality and stop raising taxes, once and for all, on Ontario's hard-working families and businesses."

As I agree with the contents, I affix my signature thereto.

TAXATION

Mr. Paul Miller: "Whereas Ontario has lost 171,000 jobs since October and over 300,000 manufacturing and resource sector jobs since 2004; and

"Whereas many families are facing the threat of layoffs or reduced hours; and

"Whereas, rather than introducing a plan to sustain jobs and put Ontario's economy back on track, Dalton McGuinty and his government chose to slap an 8% tax on everyday purchases while giving profitable corporations a \$2-billion income tax cut;

"Be it resolved that the undersigned call on the Legislature to cancel the scheduled implementation of sales tax harmonization."

I will affix my name to this, and I agree with this.

CEMETERIES

Mr. Jeff Leal: I have a petition today on Bill 149, the Inactive Cemeteries Protection Act.

"To the Legislative Assembly of Ontario:

"Whereas Ontario's cemeteries are an important part of our cultural heritage, and Ontario's inactive cemeteries are constantly at risk of closure and removal; and

"Ontario's cemeteries are an irreplaceable part of the province's cultural heritage;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government must pass Bill 149, the Inactive Cemeteries Protection Act, 2009, to prohibit the relocation of inactive cemeteries in the province of Ontario."

I agree with this petition and will affix my signature to it and give it to page Jacob.

HOSPITAL FUNDING

Mr. Gerry Martiniuk: I have a petition to the Legislative Assembly of Ontario which reads:

"Whereas Cambridge Memorial Hospital and other hospitals in the Waterloo region are experiencing substantial increased demands due to population growth; and

"Whereas the McGuinty government's freeze on new long-term-care facilities has resulted in additional long-term-care patients in our hospitals; and

"Whereas the McGuinty government's cuts to hospital funding have resulted in a dangerous environment for patients and staff in Cambridge and across Ontario;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government meet its obligations to introduce a population-needs-based funding formula for hospitals, as has been done in other Canadian provinces."

As I agree with the contents, I affix my name thereto.

1530

TAXATION

Mr. Peter Tabuns: "Whereas Ontario has lost 171,000 jobs since October and over 300,000 manufacturing and resource sector jobs since 2004; and

"Whereas many families are facing the threat of layoffs or reduced hours; and

"Whereas, rather than introducing a plan to sustain jobs and put Ontario's economy back on track, Dalton McGuinty and his government have slapped an 8% tax on a variety of our purchases and have given profitable corporations a \$2-billion income tax cut;

"Be it resolved that the undersigned call on the Legislature to cancel the scheduled implementation of sales tax harmonization."

I agree with this and affix my name.

TOM LONGBOAT

Mr. Jim Brownell: I have a petition signed by a number of constituents from Stormont-Dundas-South Glengarry. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Tom Longboat is Canada's greatest long-distance runner; and

"Whereas Tom Longboat is a great role model for all Canadians;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass the Tom Longboat Day Act into law so that we can honour this remarkable athlete and courageous Canadian, who is a great role model for all Canadians."

As I agree with this petition, I shall sign it and send it to the clerks' table.

TAXATION

Mr. John Yakubski: I have a petition for the Legislative Assembly of Ontario.

"Whereas residents in Renfrew-Nipissing-Pembroke do not want the McGuinty Liberals' new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline for their cars, hydro, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$400,000; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I support this petition and I affix my name to it.

LUPUS

Mr. Kim Craitor: I'm pleased to read the following petition to the House. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas systemic lupus erythematosus is under-recognized as a global health problem by the public, health professionals and governments, driving the need for greater awareness; and

"Whereas medical research on lupus and efforts to develop safer and more effective therapies for the disease are underfunded in comparison with diseases of comparable magnitude and severity; and

"Whereas no new safe and effective drugs for lupus have been introduced in more than 40 years. Current drugs for lupus are very toxic and can cause other life-threatening health problems that can be worse than the primary disease;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario to assist financially with media campaigns to bring about knowledge of lupus and the signs and symptoms of this disease to all citizens of Ontario.

"We further petition the Legislative Assembly of Ontario to provide funding for research currently being undertaken in lupus clinics throughout Ontario."

I'm pleased to sign my signature in support of this petition.

ORDERS OF THE DAY

INTERPROVINCIAL POLICING ACT, 2009

LOI DE 2009 SUR LES SERVICES POLICIERS INTERPROVINCIAUX

Resuming the debate adjourned on October 1, 2009, on the motion for second reading of Bill 203, An Act to allow for better cross-border policing co-operation with other Canadian provinces and territories and to make consequential amendments to the Police Services Act / *Projet de loi 203, Loi visant à permettre une meilleure coopération avec les autres provinces et les territoires du Canada en ce qui concerne les services policiers transfrontaliers et à apporter des modifications corrélatives à la Loi sur les services policiers.*

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Garfield Dunlop: I'm happy to be able to stand today and speak as the leadoff speaker on second reading on Bill 203, An Act to allow for better cross-border policing co-operation with other Canadian provinces and

territories and to make consequential amendments to the Police Services Act. In the end, after we have committee hearings and we hear the voices and the concerns of our policing partners and people who would like to comment on this legislation, I suspect our party will be supporting this legislation.

As you may recall, the bill is modelled on the Cross-Border Policing Act, which was adopted in 2003 by both the criminal and civil sections of the Uniform Law Conference of Canada. The idea of having cross-border, interprovincial-type policing has been around, I guess, for some time. For some reason it has become a priority to the government to bring forward the bill at this time.

I can tell you, I have worked with the policing community a lot. As you know, the OPP general headquarters is in my riding, the riding of Simcoe North. I talk many times with OPP officers and commissioned officers, and I can tell you, as many times as I've talked to them, I don't think I've had anyone raise this cross-border policing as an issue, so I am assuming that it's sort of a house-keeping piece of legislation. Maybe it's my ignorance. Maybe I simply don't understand that there's something more important.

I do know a number of police officers who travel throughout Canada with the Ontario Provincial Police on different files. I know one officer in particular—I can't mention her name and I won't mention the kind of case she's working on, but she's certainly someone who has been all through the Maritimes and the western provinces as well. I don't think the issue of cross-border policing has been a high priority to her or colleagues.

However, we will listen to the comments, both here in second reading debate and when we get to the floor of the committee room. We'll see that as well and we'll get to hear the concerns.

My understanding, if we do the follow-up, following back on this, Ontario and Quebec recently—I guess it was on September 11—signed a resolution "committing the two provinces to introducing reciprocal legislation that will allow for seamless policing across their borders. If passed, the legislation would establish the mechanism whereby the two provinces can grant police officer status to a police officer from each others' jurisdiction who is required to enter their provinces to perform police duties. It will also address issues of police oversight, discipline and indemnification for civil liability.

"Ontario and Quebec have been working together for a number of years"—apparently—"to develop reciprocal cross-border policing legislation. The proposed legislation would enable police officers from other provinces and territories in Canada to be appointed as police officers in Ontario and Quebec."

I took this out of a news release that was sent out by the Ministry of Community Safety and Correctional Services on September 11. I believe it was right after the yearly caucus meeting that our caucus here in Ontario has with the Quebec Legislative Assembly's caucus as well.

If you look at the bill, it's a fairly lengthy bill as far as policing bills are concerned. Most of the time they're much more generalized and shorter. There are a lot of

amendments to other bills to allow the reappointment of an officer to have status in another province.

What I find a little strange about this bill when you're talking about a cross-border policing issue: It doesn't include the Royal Canadian Mounted Police. They're not included in this bill. No agreements can be made with the Royal Canadian Mounted Police. That's something that I'd like to get clarification on at the committee level, at least, to find out for what reason that wouldn't occur.

Second of all, there are no cross-border policing arrangements with any of our American neighbours, and of course with guns and gangs and illegal drugs etc., you would wonder why there wouldn't be some kind of arrangement with them as well. I think as we move forward, those are the kinds of questions we'd like to have answered and at least get clarification of why they would not be included at this time.

1540

I'd like to talk for a few moments about some of our policing communities. For example, I mentioned earlier that the Ontario Provincial Police is celebrating their 100th anniversary this year as an organization. Many of us in the room have been to a number of events that they've held across the province. They've had a nice new logo, and a lot of their cruisers this year have been decorated, celebrating the very, very important history. So I congratulate Commissioner Fantino and the OPP on a job well done this year and on a job well done in the line of policing.

As I mentioned earlier, with the general headquarters being in my riding, it's always a pleasure to attend their events. I know I do a lot of retirements with them. I get invited to all of the auxiliary police officer programs, the graduations of new officers who come into policing in Ontario, and they usually hold those graduations at Georgian College. In my opinion, it's great to have them as a corporate public partner in the city of Orillia. Police officers in general in our community contribute a lot to the economy. Many of the officers are members of the service clubs and church groups etc. They're a very, very welcome group of people, and we're honoured to have the headquarters in Simcoe North.

I'd like to mention also at this time that the Police Association of Ontario, the PAO, under the leadership of Ron Middel and Larry Molyneaux, will be here in the House for lobby day on November 17. I wanted to make sure that was put on the record here today because I think a lot of our members have not responded to their invitation yet. The Police Association of Ontario would like to have meetings with MPPs on that particular day, November 17. If you could ask your schedulers to try to set up meetings with the PAO, they would appreciate it, and then there will be a reception later on in the day that they've invited everyone to come to as well.

Of course, they always give us the concerns that they're facing. I know right now that one of the major concerns that the Police Association of Ontario wants to deal with, that they'd like us as a Parliament and the federal government to deal with, is the use of tasers. I can

say safely on behalf of our party that we support the use of tasers, but we support the use of tasers with front-line officers and proper training. We think they save lives. I hope that, as we move forward, we can see some announcements from the government on tasers and some good police planning as we move forward with a weapon that, as I said earlier, would save lives. I think that will be one of the top priorities.

As well, the Police Association of Ontario still wants to work on the 2,500 police officers that were promised by the federal government. There has been money rolled out, as we know. I know that how the announcement was rolled out was not as—the PAO and the OPPA etc., were not quite as happy as they would have liked to be. They thought the federal money would have been for a 30-year plan, on a yearly basis. It was spread out over four years, and they're not satisfied with that. I think the best thing we can do: Instead of beating up the federal government every time something happens, I would ask members of this House to try to work with the federal government, to try to add funding to that program and make sure that those 2,500 officers can indeed be put in place across our country. I know we get about 1,000 of those officers, and if we can get 1,000 of those officers, we get sustainable funding for the future to cover them. I know that was the understanding of the PAO and the OPPA when that money was originally announced. So we have some clarifications to do there, but quite frankly it's something I would like to see the federal government step up to the plate with as well and possibly rethink how that funding was announced.

As we move forward with the policing issues—I think those are two of the key issues that the PAO will be asking for on the day they have lobby day here at Queen's Park. As I mentioned a little bit earlier, I didn't know that cross-border policing was much of an issue with the policing community, so that's something that I'll be asking as well on November 17—how important is this to the police officers? I know that the minister did get a quote in his announcement from Chief Daniel Parkinson, president of the Ontario Association of Chiefs of Police, and he does support it. I will read Daniel Parkinson's comments.

"The proposed legislation would assist Ontario police services to work closely with our policing partners in Quebec to keep our communities safer. Law enforcement organizations in Ontario already work across jurisdictional lines to fight crime. We need to also work across provincial borders to be as effective as possible in preventing and addressing crimes."

It looks like Chief Parkinson's thoughts are that it would be working closely with the policing partners in Quebec. My understanding is that this is to work with all the policing partners in all the provinces in Canada, so I'm hoping we can get those kinds of clarifications as well. As we move forward, I'd like to see how high a priority this is.

Also, we're pleased here, even in the city of Toronto, where we've had the guns-and-gangs unit and we've had

the work of the Toronto Police Association and the Toronto Police Service. I think they've done a good job over the last number of years, and I just want to congratulate Mr. McCormack, the new president of the Toronto Police Association, who will be looking after the 6,500 or 6,700 officers that work here in the Toronto Police Service. I'm sure we'll be meeting with him quite regularly here, any of the people who are involved as critics or as ministers or as parliamentary assistants, working with the Toronto Police Association as we move forward with this legislation and all other thoughts that come up.

Also, I wanted to take an opportunity today to mention in the House and congratulate Chief Paul Hamelin. Paul Hamelin was the chief of police with the town of Midland—34 years in policing in the province of Ontario with London Police Service and Midland Police Service. A number of us were in a packed room last Friday night to honour Paul and his career. He has moved on to another career associated with policing but had served this province well. By the number of people who showed up at his retirement—former assistant deputy ministers and the president of the OACP. I sat at a table with Chief Armand La Barge, some former judges etc.

It was really great to see Paul and his wife, Brenda, honoured on a very, very special evening. I thought when I was speaking on this policing bill today—I'm not sure there's an hour's worth of debate on this particular bill, but I can tell you that I do want to say a few words about my friend Paul Hamelin, who, as I mentioned, is retired and is doing as great a job in his life today as possible.

I guess the question is, as I move forward, why are we bringing this legislation in now? I've got to tell you, I think in a lot of cases—I call it “disguised legislation” because there are so many other issues the government is facing, and they need something that's kind of motherhood and happy, and you don't go too far wrong making legislation around policing and cross-border security and law and order and all that sort of thing. So I believe it's kind of a disguise from a number of the issues that the government is facing right now.

Today has been quite a day here in the Legislature and around Queen's Park with the resignation of our health minister, Mr. Caplan. I know that it's a high-level—there's a lot of publicity around his resignation, with the scandal at eHealth and the summer of scandal, and the fact that he's probably only wearing half of the blame, quite frankly. I know—

The Deputy Speaker (Mr. Bruce Crozier): I'm sure the member for Simcoe North wants to speak about the bill that's been moved for second reading today.

1550

Mr. Garfield Dunlop: Yes. It's unfortunate we can't talk about some of the things that are really happening in this place. I find that very difficult, Mr. Speaker. I talk about something for 30 seconds—

The Deputy Speaker (Mr. Bruce Crozier): There are members' statements; there are questions to ministers. There are times that are provided for that. I'm

just telling all the members that they should stick to the topic that's on the floor.

Mr. Garfield Dunlop: Okay, thank you very much, Mr. Speaker. I won't talk any more about the resignation of Mr. Caplan today. I find that disgusting.

Quite frankly, as we move forward, I think that—you know what? I think I've said enough on this bill. We'll support the bill and listen to committee hearings, but quite frankly, I find it disgusting today that we can't speak in this House on what we—

The Deputy Speaker (Mr. Bruce Crozier): Further debate? Oh, I guess we should have an opportunity for questions and comments. Member for Toronto—Danforth.

Mr. Garfield Dunlop: Are you sure we get that?

The Deputy Speaker (Mr. Bruce Crozier): I'm not sure, the member for Simcoe North, if we keep this up, what you'll have an opportunity to do.

Mr. Peter Tabuns: Speaker, thank you for the opportunity to address the comments from my colleague. I think he's quite correct that this is a bill that has many questions that still remain to be answered. The content of the bill is one that I understand has a fair amount of support in the police community, but there are questions that I will raise when I have my opportunity to speak that I believe will have to be addressed to give comfort to all parties in this House that in fact the legislation that's brought forward will serve the purpose that the legislation says it will serve and will ensure that the performance of the police will be satisfactory and transparent to the population and accountable to this society, this government.

My colleague indicated that he didn't see substantial problems or issues around the police themselves. Fair enough. My hope is that when this debate goes forward, when this goes to committee, we will have all the stakeholders who have concerns about the bill and support for the bill come forward and give us a very clear picture of how this will operate. Because when you actually look at the history of policing in Ontario—I'm just quoting my colleague the member from Welland, Peter Kormos, who said he couldn't actually remember instances in which the lack of this bill had led to substantial problems for the police. It would be useful to have them testify here and set out what exactly are the problems that have brought them to the point where they have asked this legislation to come forward.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Dave Levac: I have been and will be paying close attention to the goings-on of the discussion and the debate on Bill 203, as parliamentary assistant and in my conversations with the minister after his leadoff.

I wanted to speak specifically to the member from Simcoe North, who made the attempt to talk about Bill 203. He asked a couple of questions during this deputation about why we have not dealt with the United States and why we have not dealt with the RCMP in this bill. The two things that I heard were that we did have—at least until the point he made a couple of times, that he believed it was his party's intent to support the bill.

So first of all, let me thank the member from Simcoe North for that support. The sovereignty of our nation is exactly that: the sovereignty of our nation. In any discussions with the United States in terms of cross-border policing, that debate would take place between the stakeholders that are the leads, which would be the federal government—the provincial government has been willing to do those kinds of discussions, but knowing and respecting that the federal government would do the lead. That answers that question in terms of this particular piece of legislation.

Second, on the RCMP question, they have jurisdiction within each of the provinces in agreements set out through the national government and the provincial governments. There is an agreement that has been struck between Quebec and Ontario, which was mentioned by the member, and I'll do my best to explain some of those aspects of the bill as well.

I welcome the support of both parties, as I'm hearing that that's what will happen in this place, with questions that need clarification.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Jeff Leal: I did listen to the speech of my colleague the member from Simcoe North. Just to get a plug in, we have a relatively new police chief in Peterborough, Murray Rodd. He was actually born in Lindsay, Ontario—the member from Haliburton-Kawartha Lakes-Brock is here. Murray went up through the ranks and became police chief in Peterborough.

From time to time, we chat with him about issues, and I know that this cross-border policing bill is something he is particularly interested in. I know he was pleased that we brought forward this bill this time. He talks to me about the Canada-wide police computer, CPIC, that they use from time to time to trade information across the 10 provinces and three territories. While that's an important tool for policing throughout Canada, he also indicated to me that he felt it was time that we had new relationships in terms of cross-border policing in the province of Ontario.

We have an agreement in place with the province of Quebec, and we need to expand that to other jurisdictions, particularly to Manitoba. We have many communities in northwestern Ontario that are very close to the Manitoba-Ontario border that could really take advantage of this agreement, particularly in the area of drugs. I know that this issue was certainly identified to us when I was visiting some First Nations communities in northwestern Ontario, and I see that Bill 203 would be extremely helpful in terms of curtailing the supply of drugs between several of our provinces.

In terms of the United States, we just appointed a new ambassador, the Honourable Gary Doer, former Premier of Manitoba. Maybe this is one of the files he will take with him.

We're pleased to support Bill 203.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Mike Colle: I'd like to comment on the member from Simcoe North and his discussion of Bill 203, An Act to allow for better cross-border policing co-operation with other Canadian provinces and territories and to make consequential amendments to the Police Services Act.

I just want to say, as the member from Peterborough said, that it's so critical to have co-operation between different police forces, and this is a move in that direction. I think it's supported by a lot of our police stakeholders.

I know it has been brought to mind very recently in my own riding of Eglinton-Lawrence, where we've had the tragic disappearance of a 17-year-old girl from one of our high schools. In fact, I was talking to Detective Sergeant Dan Nealon, who is in charge of the investigation—he played hockey for me years ago. He was saying it is critical to contact other police forces across Canada to get information from them and to them, and even to contact INTERPOL to see if they can get any leads about anybody who has seen this 17-year-old girl, Mariam, who disappeared from Forest Hill Collegiate.

It is critical that we co-operate with other police forces, and in this case it's about police officers from other jurisdictions being able to be appointed in reciprocal arrangements with other provinces. It's something that will make for safer communities. I think it will make for more effective policing. That's why this legislation seems to be very opportune and very timely and needed in this day and age when things are so mobile and people move from province to province and from country to country. It is a piece of legislation that I think is very supportable.

1600

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Peter Tabuns: Speaker, before I proceed, I'd like to ask for unanimous consent to stand down the lead. Our member, Mr. Kormos from Welland, was not able to attend this afternoon. He would like to speak to this bill, and I'd like to ask for that consent.

The Deputy Speaker (Mr. Bruce Crozier): Agreed? Agreed.

Ms. Lisa MacLeod: I want three hours of Kormos.

Interjection: Four.

Mr. Peter Tabuns: Thank you. The demand for four hours of Mr. Kormos doing his lead has been heard, and with special dispensation, I'm sure that we would all be given the treat of listening to him go on in detail and at length on this issue.

Hon. Brad Duguid: I have a feeling that even Mr. Tabuns wouldn't want to be around for that one.

Mr. Peter Tabuns: No, no—

Interjections.

Mr. Peter Tabuns: There are comments from others in the Legislature, but I have no doubt that they too would be selling tickets to friends to actually attend that performance.

Before us today is the Interprovincial Policing Act, 2009. For those who have joined and are watching this debate this afternoon, I want to give them a little background, the structure of the bill and what's before us.

This act proposes the use of specially designated officers who are temporarily authorized to enforce the law in other provinces and territories that have reciprocal agreements. This would give police officers greater operational control and accountability within the host province or territory. It enables police officers from other provinces and territories to be appointed police officers in Ontario.

An appointed official chosen by the Minister of Community Safety and Correctional Services would be given the responsibility of accepting, denying or terminating requests and appointments in Ontario. A decision on an application to be given status as a police officer in Ontario would be made within seven days of the request, or within 72 hours in an urgent situation. The extra-provincial officer would be given the same duties as those of police officers in the host province.

The act enables civilians to file complaints against special officers, but the officers would be disciplined from their home office.

Indemnification costs only apply if there's a reciprocal process in place within the other province or territory.

The commission charged with civilian oversight is charged with similar oversight powers over extra-provincial officers appointed in Ontario, over appointing officials and over Ontario police officers working in another province or territory.

The act enables the appointed official to report to the minister upon request with respect to appointments approved, denied or terminated in the form and manner and containing the information as directed by the minister.

So, a fairly straightforward act which will allow police officers from other provinces to come to Ontario and be given authority to act as police officers within this province; give some level of oversight; require or give the public a protection of disciplinary action, should it be required, with that disciplinary action meted out by the appropriate officials in that officer's home province. This law then will allow officers to go from jurisdiction to jurisdiction relatively freely to carry forward investigations.

Now, as we read this act, we're open to the argument that it would be useful for Ontario to adopt it, but we have questions that I will raise as I go through my presentation. I think people should be very clear that this act is not going to resolve all the policing problems that we face in Ontario. We face a broad range of issues related to crime, and when you look at this act, you have to ask: Will it substantially change the situation that we face?

In an interview that was given by the current minister, Mr. Bartolucci, he said that the new law, if passed, would streamline a cumbersome process. He said that out-of-province officers now have to jump through bureaucratic

hoops if they wish to come into Ontario to carry forward their work, their investigations. He said further that, "This process can sometimes delay the operations and criminal investigations of our police services."

What's interesting is that, when questioned by the reporter who was writing this article, he was "unable to give any examples of police who were hampered by the" current so-called "bureaucratic process."

Our critic, Mr. Kormos from Welland, commented, "The minister wasn't able to identify a single situation where the existing process created a problem, where a criminal (went) free. So," said our critic, Mr. Kormos, "that's a little bothersome." You have to ask: If, in fact, we aren't currently encountering difficulties, if we aren't in a situation where investigations seem to be interrupted or in any way actually blocked or obstructed, then what is the real function of this bill?

There's no question that we do have problems with criminal activities that span the country. As you may well be aware, there's a lot of car theft to order that goes on. In parts of the city of Toronto—and I'm sure this is the case in parts of other cities throughout this province—there are large volumes of car thefts for parts or, in some cases, theft of cars, re-designating them, repainting them, changing their identification so that they can be packed into shipping containers and shipped overseas for sale. Our police are dealing with substantial business interests—criminal business interests—that make a good profit from stealing and selling goods. To the extent that we are able to block that sort of predatory behaviour, I think we have a positive step on our hands.

I think, though, it has to be very clear to people that again, even though this may be helpful to police in some situations, in some investigations, the bulk of criminal activity that we deal with in this province is driven by mental health problems and by drug addiction. This bill and other bills that I've seen coming before us in this Legislature relating to criminal justice don't address the sources of the bulk of the problems that we, on a daily basis, have to deal with. I've had the opportunity in the past to talk to defence counsel in the criminal field. In their experience, if there were substantial programs to deal with poverty, with drug addiction and with mental illness, they as criminal lawyers would lose 70% to 80% of their business, because that's where most of that business is generated.

The bill may have some limited usefulness. Certainly there are situations where there are criminal organizations that operate across provincial boundaries where we want the police to be able to function quickly and efficiently, but let's not be confused at any point. The reality is that crime is a lot bigger than those criminal organizations. It's a general social problem that has to be addressed by a lot more than police activities.

People should be aware that, in fact, we have had agreements over the years between different jurisdictions to allow police to go from one jurisdiction to another. Other provinces have moved ahead of us on their bills. Legislation similar to what's being debated today has

been adopted in Manitoba, Nova Scotia, Saskatchewan and New Brunswick. That may well mean that what we put in place completes a jigsaw puzzle, allows for an efficiency that hasn't been seen to date.

To be fair, our critic on this matter wants to hear the presentations at committee hearings, assess the value of it, assess whatever tripwires may be buried in this legislation because, frankly, there is no such thing as a piece of legislation that does nothing but good. There are always going to be difficulties.

Interjection.

Mr. Peter Tabuns: I understand that there are some members who may not agree with my assessment there, but I have to say when you get to committee, when you get the details out, you get a better sense of what's on the table and what real impacts there will be, positive and negative.

1610

One of the questions that we're concerned about when we look at this legislation is the training that officers will have coming in from out of province, and familiarity with procedures here. It may be that there's a level of uniformity in police training across the country that renders this question redundant, but again, that's a question that we would like to sort through in committee.

I understand that the pressure for this has come from police associations across Ontario. They see value in it. We look forward to hearing what they have to say in committee hearings. We look forward to having the opportunity to question them to get the details on where this legislation will take this province.

There are some specific questions that I believe need to be addressed, and I hope that the government, in their presentation on this bill, will address them.

Section 34 enables the minister to choose any person in writing to be the appointing official. The appointing official is the individual who determines whether a police officer requesting extra-provincial appointment is accepted, rejected or if their appointment is terminated. So it would be very useful for us if the government were to bring forward, either in presentation here in this Legislature or in committee, the standards for appointing that official. What are the issues that the minister will take into consideration when they make that appointment? What sort of process will be used in selecting that person? Will there be transparency associated with the appointment?

The Minister of Community Safety and Correctional Services may also prescribe circumstances for termination. That's stated in the explanatory note but not specifically cited in the legislation. It would be useful to have that discrepancy between those two pieces clarified.

The legislation enables the appointing official to report to the minister, upon request, with respect to appointments approved, denied or terminated, in the form and manner and containing the information as directed by the minister. The question we would ask is, will this provision of information work in a reciprocal fashion so that the Ontario ministry can request reports by appointing

officials in host provinces or territories in which Ontario police officers were appointed? If we, in fact, are going to be transparent here—and I hope we are; I hope that's the intention—will we be able to find out from other provinces similar information that is relevant to the enforcement of law in this province? Will a formal request be required by all other parties wishing to access these reports; for instance, a freedom-of-information request? Will we actually even be able to access these reports?

At present, it takes several months to receive an appointment for an officer to come into Ontario and carry forward their duties. It would be very interesting for us to understand how that is all going to be compressed into seven days, making sure that all of the interests of the people of this province are taken care of, as well as the interests of those who are sending forward an officer to be given that appointment. Will there be a reduction in standards and criteria before an appointment is made? It would be useful to know that.

Subsection 20(1) states, "Before performing any police duties in an area of Ontario, an appointee shall give notice to the local commander of the police force or detachment that provides police services in that area, unless the duties are of a routine nature that are unlikely to affect those police services or the operation or investigation could be compromised by giving notice."

If there are duties being performed of a "routine nature" so that the local command or detachment need not be informed, then why wouldn't they fall under local jurisdiction? I assume that we aren't going to have officers coming here from Manitoba for speed traps or minor traffic offences. They're coming here, one would think, to carry forward an investigation that is of consequence to interprovincial criminal activity. It would be useful to have the government give examples of when this sort of power would be needed in the use of extra-provincial officers.

Additionally, if an extra provincial officer does not have to give notice to the local commander of the police force or detachment because, by doing so, "the investigation would be compromised," then who will be monitoring his or her activities? If I was, in fact, responsible for, let's say, Whitby or Oshawa and there were police coming in from other provinces operating in my city, I would certainly want to know that they were there, particularly if they had powers of arrest, powers to use force. I would not be wanting any surprises to be going on in my jurisdiction.

It would be useful if we could have comments from the government on exactly who will be monitoring these activities and by what means. Who would actually be making sure that the officers coming into Ontario were operating within our laws, within our regulations?

This legislation may in fact prove to be useful. Our party, the NDP, may in the end decide to support it, but there's a variety of questions that I've had an opportunity to put on the floor that I would like the government to address. We would like to have full hearings in com-

mittee to explore the potential pitfalls and potential opportunities that this legislation offers.

Speaker, those are my comments for this afternoon.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Mario Sergio: I've been following the remarks from the member, and I'm quite pleased to add my support and see that second reading of this bill and the bill itself will move along.

I think it's important that we recognize the importance of assisting our forces, not only our forces but others from other provinces and territories, to facilitate their movements. What the bill intends to do, primarily, is to appoint extra police officers on a temporary basis for a maximum of three years, and there is an option, I believe, or the bill calls for a renewal or an extension of those appointments.

It's important to recognize as well that sometimes when an investigation has to be done from one province to another, there is paperwork. It's very frustrating at times when our forces are saying, "We have to get there as soon as possible to do what we have to do to conduct the investigation that we have to do," and they are mired in a sea of paperwork. I think this will facilitate the movement from one province or region to another, will open up and improve co-operation, and I think it's important that we assist them in every way possible.

I compliment the Minister of Community Safety and Correctional Services for recognizing the need for facilitating, for giving us the opportunity to debate it and see the benefits of it so we can move it along. I have to thank you for bringing it forward as quickly as possible. We are here today debating second reading, so I hope that, indeed, all members of the House will recognize the need and the benefit of this temporary service. It's not on a permanent basis. I hope we can move it along as quickly as possible.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Ms. Lisa MacLeod: It's a pleasure today to be part of this debate, second reading of Bill 203, the Inter-provincial Policing Act.

Of course, in the city of Ottawa we're right beside the province of Quebec and our twin city, the city of Gatineau. There are a lot of synchronicities that occur in the city of Ottawa because we are the national capital. We have a large organization called the National Capital Commission that is part of our city governance and our federal governance in our municipality, and we often have a couple of levels of policing in our own community. As you're aware, we do have the city of Ottawa police, Ottawa's finest, with our Police Chief Vern White, whom we—

Mr. John O'Toole: Who you got from Durham.

Ms. Lisa MacLeod: —got from Durham. You're darned right. He had a great time there, he did tell me.

We also have the OPP. We have the Royal Canadian Mounted Police, who are also on our streets on federal properties and lands, and they police the National Capital Commission roads. In addition to that, we also have

military police. I've just found out that we also have OC Transpo police; I see them on the roads a lot. So there's lots of security in our own community in the city of Ottawa. I think that means that we could be doing a lot more even within our own province in creating synergies in policing.

1620

I have nothing but the highest respect for our policing community. I was privileged to grow up in a household where my father was the former president of the Canadian Association of Police Boards. That was a wonderful experience for him before he passed. We made a lot of great friends throughout Canada. He was the police commissioner for the town of New Glasgow, which had 26 police officers, and he used to sit with Norm Gardner, who had about 26,000. He was the chair, and the folks from Toronto were working with him.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Dave Levac: The member from Toronto—Danforth has asked us some legitimate—as a matter of fact, I'll come right out and say it: I usually appreciate the member's presentations in the House because he tends to approach them in terms of questioning, getting some answers and legitimate debate. He and I kind of get along together when we've had our discussions about these types of bills. He has my undertaking on one aspect of that, and that is to find him some examples, as he has asked, of precisely why there is a need for a change in the legislation because of the types of activities we're talking about. So you have my undertaking on that, member from Toronto—Danforth.

The other one is a clear, short answer: Yes, we'll have hearings and, yes, there will be some opportunities for further input from the experts in the field who can answer even more deeply the questions that I'm sure the member from Welland will try to challenge us with in the four-hour dissertation I think some of us want to hear.

But I will suggest to you very respectfully that we have a system in place today, and the system in place today is wrought with some of the problems that the other provinces you mentioned have started to correct. This is a continuation of that piece of the puzzle you're talking about. Yes, you are right; that's exactly what we're talking about. We had that inner cabinet meeting with Quebec that outlined the concerns for the very same reason that the member from Nepean—Carleton mentioned, and that is the interdisciplinary respect and understanding that we have to have not only within our own borders but across the borders of our great nation.

Criminals don't know borders. Criminals don't care about borders. As a matter of fact, criminals take advantage of us when we don't have the right legislation and regulations in place, because they know that, according to certain pieces of our legislation, which we are attempting to change with this bill, if they go across, it buys them extra time and it lets them do other things.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

So we'll talk about that. I appreciate his presentation.

Mr. Mike Colle: The bill, as the member from Toronto–Danforth talked about, will raise some questions. I think he raised a number that are very legitimate—I appreciate that—to try to make this a significant bill in terms of local jurisdiction and who really makes the decisions. I think there are going to be protocols. My understanding of it is, there are going to be protocols worked out where this will be made into a workable, amicable process, because it's going to deal with a lot of jurisdictions.

I guess this is brought to mind with the taser inquiry in British Columbia, where the federal government and the lawyers for the RCMP are saying that the inquiry has no jurisdiction over the RCMP. That's what is quite interesting. As you know, in BC they don't have a provincial police force. So it's quite problematic. I know that in fact one of the lawyers involved in the hearing is recommending that BC follow Ontario and other provinces that have their own provincial police forces so there will be jurisdiction and accountability to the Legislature, because it seems that the RCMP are not accountable to the provincial Legislature in British Columbia. So this is quite novel and quite problematic, given the severity of that inquiry.

Those are the kinds of issues that hopefully this will be a step toward resolving—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. The member for Toronto–Danforth, you have up to two minutes to respond.

Mr. Peter Tabuns: My thanks to the members from York West, Nepean–Carleton, Brant and Eglinton–Lawrence for their commentary. I'm particularly pleased that the member from Brant is committing to bring forward examples of why this particular legislation is needed. I don't know whether those examples exist or not. Having made that commitment, I assume you do, and I look forward to hearing them. I'm sure that our critic, Mr. Kormos, will be interested in hearing them as well. If you're going to make a substantial change in this legislation, let's see precisely, concretely what we're talking about.

I'm also pleased to understand that there will be hearings so that in fact there will be an opportunity to get detailed and precise information and to question witnesses and presenters as to what advantages and disadvantages are presented by the piece of legislation that's before us.

I don't think there's anyone in this chamber who has an interest in slowing down our police forces when they're dealing with criminal organizations. The question that we always have to ask ourselves is, does this legislation do what it is purported to do? Will public interest, and I mean broad public interest, be adequately protected? Will the people of this province have the police services that they need and that they deserve in their daily lives?

We will see what comes forward out of committee, and I look forward to hearing the rest of the debate on this matter.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Dave Levac: I do appreciate the opportunity to dive a little bit into Bill 203. Let me start by complimenting and thanking the Minister of Community Safety and Correctional Services, Rick Bartolucci, the member from Sudbury, first of all for his introduction of the bill and second of all for his well-known dedication to public safety, community safety, support for police and firefighters and EMS, before his appointment as minister and subsequently during his job as the present minister. My working relationship with him has been tremendous.

I do also want to say that in his opening statements he made some comments that some people questioned why we are doing this. Let me put on the record right now—I'll share with the member from Toronto–Danforth, but for the rest of the House, let me tell you, to start with, the generic reasons why some of these things happen, and then we'll drill down. I'm kind of loath to start talking about individual cases, but I would respectfully suggest to you that there are two really key areas that, if we get into them, will give us an understanding, with present-day legislation, how it's abused by the criminal element, and the new legislation, if modified, if need be, would help us get rid of that criminal element faster. It's not going to stop it, and I think we're all in agreement with that. That would be the drug task forces that exist between jurisdictions, which we do know exist even between municipalities, and now we've found out, with the present legislation in Saskatchewan, Nova Scotia and New Brunswick, that that has helped to reduce the cross-border traffic of drug cartels.

That's the start of the generic example of what we're talking about. Because of the jurisdiction breakdown and the time frames which it takes to get that entering police officer into action, it makes it more difficult for us to deal with that kind of thing, and our drug task force organizations are telling us that this piece of legislation would be helpful in their fight against the trafficking of drugs.

The second one is organized crime in the delivery of car parts, cars, prostitution rings etc. The organizations already know, again, at the border that it slows down the process and gives them that extra time which it takes for them to get the deed done and then kind of scatter things.

So those are the generic overhauls that I would say. That doesn't quite answer your question, but I think it's fair enough to say that we can drill that down and get the experts to explain the nuances of how that operates. That's the premise behind what we're talking about.

Let me get into the meat of the discussion by explaining one more thing, and that is that crime doesn't know a boundary. As a matter of fact, organized criminals use boundaries as a good thing for them. The more we can simplify and make smooth our operations in our great country, the vast country that we have, in terms of our jurisdictions, the easier it is for us to do our job to fight them, because right now they take advantage of the slowdown rules that we've got in between borders.

1630

If we can now signal to them that that puzzle, which the member from Toronto—Danforth referenced, can be put together in a way that signals to the criminal element that we're now starting to talk together—because we all know that for a long time, at least in my experience in this place, and I know it's happened at the federal level, there have been cross-border problems inside of our country, not just on the crime side, but in industry, in getting trucks across the border. So we've got to get our act together. This is one of the pieces.

I want to make it clear. Some people are talking about this as window dressing, that this is fluff and just a motherhood-and-apple-pie piece of legislation. I would say, that's nowhere near the value of what this bill brings to us. If we talk about the actual functional nuances that this bill will provide us, it's going to be providing us with the opportunity to get in front of those criminals instead of always reacting to them.

I'm asking us to consider this bill. I'm not saying today that we need to pass it. I do believe that going to committee is a very valuable exercise to get those experts in front of us so that we can ask them those questions, because the more we know and learn about what it is that our police agencies need in order to get their job done, the sooner we'll spread the word to that element out there that doesn't want to follow the rules that, "We're going to get you. We're going to get you because you found a loophole, we're going to plug it, and now it's going to be harder for you to do those things that we're saying you've got to stop doing in our country."

It was brought up earlier about the RCMP. The RCMP has a national mandate, and it has agreements with all the provinces. That's why they're not included in this legislation, because they're already involved in this type of activity. They are participants and are quiet, silent partners in this, in some cases; in others, they're the lead. So they already have a mandate that provides them with cross-border. That's the reason, very bluntly, why they're not included in this bill.

One of the previous speakers—not the member from Toronto—Danforth—asked the question about, "Why not the RCMP and why not the United States?" Well, two very simple reasons: (1) in the RCMP case, they're already covered and they can participate; and (2) on the United States, this is a sovereignty issue, and we want to get that piece of the puzzle done first before we do.

Does that mean that we're not talking to the United States? Heavens, no. It means that we haven't come to an official agreement in terms of cross-border enforcement between nations. That's not our duty as Ontario. We'll participate in that debate. We'll be a participant, and a strong participant, when and if that one starts to get broached, but it's a federal responsibility. Inside of that federal responsibility, we will have those discussions about how to continue to work the war on organized crime, the war on illegal cigarettes, for example, and all of the other things that people say we're not dealing with. Quite frankly, that's a myth as well. So to put it on the

record—I want to make it clear—there is plenty of activity going on, and there's lots of co-operation being done by the United States, some of the border states, and by Quebec, by Ontario, by law enforcement agencies, by ministries of health etc. So there is that work going on, and I think that we need to put that myth to rest as well.

Police face obstacles when they are unable to retain their authority when they're crossing borders. That's part of the problem, even with this legislation. So let's talk about what we can do today, and allow us to understand why this piece of legislation is not motherhood and apple pie, is not fluff. It's an important tool that we need in order for us to continue our war on criminal activity.

Currently, extra-provincial police officers operating in Ontario, which they are legally allowed to do, must be appointed as a special constable by the municipal police services board or the OPP commissioner, with the approval of the ministry of community safety, security and corrections. The special constables are not automatically granted the same powers held by Ontario police officers. That means that if they come from a different province, they might not necessarily have the same authority as an officer in Ontario would have. This process is not fully effective, because if they come into our province, they need to have the powers in our province to do the things they need to do once they cross that border as an extra constable. It's intended to create a streamlined, simple process for the extra-provincial police officer to obtain police officer status and powers in Ontario and the reciprocating province. That means we get the same powers in Quebec as they have in Quebec, and then they get the same powers in Ontario that we have in Ontario.

Just a few months ago, when the inter-cabinet meeting took place, we signed an agreement. We signed an accord with Quebec to move on with this particular piece of legislation. Therefore, we're going to end up with Manitoba, Saskatchewan, Nova Scotia, New Brunswick, Quebec and Ontario to complete some of that puzzle that's been talked about earlier: how we start pulling this all together to allow our police services from across those provinces to operate in their criminal chase.

Let's not kid ourselves. We can turn this into a debate about whether it's useful or not. Our experts are going to tell us where that stands. Once we understand that, I think the general public would be shocked to find out that we don't have that seamless system in place. If we entered into the debate not in this place but outside with the people of Ontario, one would assume that there would be this kind of co-operation and capacity for police services around each province and inside our provinces to get rid of that criminal element, and that things would be done in a co-operative manner. That's not to say, as I said, that the present legislation doesn't allow for that, but it's cumbersome. It's sloppy. It doesn't last long enough, in some cases. This legislation is going to provide us with up to three years of capacity for that police officer to do their job.

Here's another answer for the member from Toronto—Danforth—I recall now that he asked this question:

whether or not that police officer has to report to somebody: The short answer is, yes, they do. They have to consult with the area in which they are going to be operating. Under some circumstances, because of the very sensitive nature of their investigation, that would be the end of their participation, other than to report on a normal basis to that police service in a normal reporting process. That means that there would be accountability built into this legislation. Presently, it doesn't exist.

One of the things that we need to talk about is the other items inside of the bill that are being provided in order for to us feel comfort on the spectrum of how people respond to our police services. As we all know and would acknowledge, there's one group of people who do not trust police at all; they believe that they are robbing them of their civil liberties. I'm not insulting them. I'm saying that that's one side of the spectrum. You move down to the other side of the spectrum, where, if you don't support the police officer, you're anti-Ontario, you're anti-Canadian. We've got this spectrum of people. Inside of that spectrum, there's an expectation that our rules and regulations and our laws would protect each side of the spectrum to the point where no one would feel that they're outside of that spectrum, so that the civil liberties would not be wrecked and ruined by this legislation and so that no police powers would be too extreme and allow them to run roughshod over private citizens.

You'll notice that the legislation is specifically designed to have those checks and balances in it. The duties and the status of the appointees are outlined in the bill. The oversight is outlined in the bill. The complaints process is outlined in the bill so that it prevents a police officer coming from Quebec and getting to do whatever they want to do in Ontario and not have a complaint lodged against them. Well, if they think that that's what this bill is going to do, they're in for a rude awakening, because they're going to be subject to oversight.

Liability and culpability, all of the buzzwords that people use about how we keep people inside of the tent, are inside of this bill and do not necessarily exist in the previous bill. There are some things in the previous bill, in the existing format that we have today, that are there, that do take care of that, but now you're looking at a special circumstance where you can get, within 72 hours, permission for that police officer to follow through.

Again, that's the point that I made earlier, and I'll keep reinforcing it, and it's not anecdotal; it's factual: The criminal element are using the present legislation to buy time, to get their deed done and disperse. They do it in a way that allows—the present legislation takes time for us to get that special constable over the border. I agree with the member from Toronto–Danforth when he says he doesn't think there's anyone in this House who wants to handcuff the police officers from getting the bad guy.

1640

Mr. Peter Tabuns: No one wants that.

Mr. Dave Levac: No one wants that, and I reinforce that: The member said that clearly, and I agree with him.

I would never think there's anyone in any party, or anyone in this House, who wouldn't want our police officers to get the bad guy. What we're pointing out is that it's not motherhood and apple pie, and it's not the be-all and end-all, and I do agree with him on that comment. It was never intended and never sold as the be-all and end-all of legislation that fixes police officers once and for all.

This is a gaping hole we have in an already-identified problem with chasing the criminal element. I reinforce and say again: This is about the tricks that are being used by the criminal element to take advantage of present legislation. There are some in the police services, and I say this carefully, who already have the capacity to cross the border and do those things: under the national mandate, the RCMP. But there is not the same opportunity to do that here in Ontario, for example, for the OPP, municipal police, a special task force or special constables. So we need to broaden the scope and the tool kit that police services have. By doing so, we provide the messaging as much as the practical side. We present the messaging to the criminal element that, "We've plugged the hole, guys. You're going to have to find another way to do your dirty work. And when you do that, we'll find another way."

This brings me to one of my last points about the member from Toronto–Danforth's presentation—you see, I pay attention; I really pay attention—that is, this is not a catch-all bill; it was never intended to be. There are other things we need to do to continue to afford us an opportunity to reduce crime. This is one sector of crime, though, that I believe the member would agree, in my statement, that needs as much attention as any other, because what happens in organized crime is that not just a single person is affected; the entire community gets affected.

When organized crime lands in your neighbourhood, you've got to know that they have the tools that allow them to come in as fast as they can to do the things they need to do to get that from the community, and not treat it like mercury. What I've said in the past is that when you do a real good job in one place, you smack the mercury and it just goes like that. If that's going to happen, we've got to have the tools that allow us to attack from all angles. Therein lies my response to anyone's concern that this would be portrayed as a piece of legislation that is the be-all and end-all or that it's motherhood and apple pie. I think it's another good step. For those who say that there's a tremendous amount of other things that should be done today: It's one of a list of many things that people keep doing.

This is a fluid place. I've said, time and time again, that this will not be the perfect piece of legislation. I do look forward to committee work to hear the professionals, the people who actually go down into that dirty little place where very few of us have ever been, and see how we unleash the shackles on the people who have to deal with that from day to day. How do we get them that permission, and how do we give them the tools to do that?

Let me assure you as well that I don't think there's anyone in this place who doesn't appreciate deeply the

work those people do. I haven't heard anyone say they don't appreciate the very down-and-dirty stuff these police officers and special constables have to do day in and day out. It actually broadens our respect that we get to see it's happening in Quebec, it's happening in all the provinces, it's happening in our country and of course it's happening in North America.

By the way, just as a generic comment to you, one thing that amazes me time and time again is Ontario being the home of immigration. We take about half of the people who come to this country from around the world. In a very large number of the places they come from, the first thing on their minds is how to pay off the cops because of the distortion and warped nature of their policing. They're bought. We should be extremely proud of the way our services work and the distance we keep between politicians and police officers. That should be highly respected and honoured. When those immigrants I speak to in my riding talk to me about policing, they are in awe of the police officers, of the way they treat them, the way they behave. They don't put their hand out and ask for 10 bucks to walk them across the street. That was my kind of generic pitch for the respect that we have for police officers and the distances we must keep.

In supporting this bill, what I'm hearing is that there is a reasonable amount of support with questions. So if we as a body support this piece of legislation and seek improvement or look in our committees for the professionals to come forward and give us deputations of why it's important to do this—and we've seen the list. I know everyone's going to get the speaking notes from all parties. They're going to get the speaking notes of who supports it and who's got questions; we know that.

What I'm here to do today is to tell you that I'm going to give you my undertaking and my word, as I've carried every single bill that I've had responsibility for, to listen carefully to the deputations and to respect and honour the members who come forward with reasonable, rational and decent proposals, questions and comments and support or no support. I'll be respectful. I want to hear what the experts offer us. I will honestly, as I've done for every single bill, listen and watch carefully as to what the amendments are that are offered, if they are offered, digest them properly and ask staff to review them to see if they can be implemented and if it makes it a better piece of legislation.

As I wrap up my comments about the bill in general, I want to offer you my commitment in this House and to the people of Ontario that this type of bill—please do not characterize it as fluff and please do not characterize it as the be-all and end-all of policing. It's a continuation. It's a fluid movement towards improving our circumstances to beat the bad guy, because as we wrap this up, we've got to go after the bad guy and make our communities safe and secure.

I seek your support, I look forward to your comments and I will respond to each and every one of them.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mrs. Julia Munro: I'm pleased to be able to offer a couple of comments as we debate Bill 203. As I look at the bill, it seems to me that we're trying to put in place mechanisms that better meet the needs of policing as we are in the 21st century.

I think back to a police retirement that I went to last spring, that of Wes Bonner in number 3 division of the York Regional Police. At that event, there was lots of reminiscing about pre-regional policing and how he had begun his career with the village of Sutton. It just serves as a reminder of the complexities of communication and coordination, and that's really what the bill is talking about. While we used that retirement celebration to reminisce, at the same time, coming today to look at a bill such as this, we're reminded that obviously criminals have the very best in communications and the very best in all of the apparatus of being able to conduct major criminal activities. So for us provide our police officers with at least as good—if not better, one hopes—an ability to track and take part in cross-border activities is obviously intended to make sure that they are well equipped and, frankly, capable of keeping us safe.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Peter Tabuns: I want to thank the member for Brant for addressing a variety of the questions that I put in my speech. When I first came here, I realized that questions and comments didn't necessarily mean questions and comments and answers. On the rare occasion when you actually have that third part, it's a pleasure to see it.

This whole issue of interprovincial jurisdiction is something that's discussed in real life, in real situations, and has been addressed in film in Canada as well, for those who saw the really extraordinarily good Quebec film *Bon Cop, Bad Cop*. The whole film starts out with a body, a man who has been slain in a gangland slaying, draped over a sign marking the border between Quebec and Ontario. The film is about, essentially, the jurisdictional fight over who gets to track down the person who carried out that gangland hit.

1650

I appreciate the fact that the government is trying to address the issues that were raised in that film and the larger issue of organized crime in our society. My hope is that the bill that's before us will be of consequence and will, in fact, provide those protections of civil liberties, on one hand, and protection against predatory criminals on the other, and find that balance.

I look forward to the committee hearings and, frankly, the presentation of commentary, evidence and information that will allow those of us in this chamber who have to ultimately make a decision on it make a decision that's useful and informed.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments? The member for York North.

Mr. Mario Sergio: York West.

The Deputy Speaker (Mr. Bruce Crozier): York West. It hasn't moved.

Mr. Mario Sergio: It hasn't moved, no.

I was listening and paying attention to the comments, and most appropriate were the comments, I have to say, from the members from Brant and Toronto–Danforth.

A couple of days ago, we were given this wonderful news from Europe that Canada is the fourth-best country to live in in the world. But as such—and yes, we are moving down the scale—I have to say that even though we have this wonderful, big country and open borders and whatever, we still do have some problems.

Very appropriately, the bill is trying to do two very particular things: It is, as a matter of fact, about better cross-border policing co-operation with other provinces and territories, and amending the Police Services Act as well. Why is that? It is to give our police forces the authority that's needed to facilitate their movements, to move quickly from province to province or territory to province and vice versa, and do exactly what they are supposed to do.

Sometimes, we have a lot of paperwork that's necessary because it is the process that demands that, and we are trying to make it easier for the other forces to come to Ontario and Ontario forces to move into another region and do the investigating work that they are supposed to do.

As well, they are part-timers, if you will, because they are appointed on a temporary basis with a limit of three years. That would go a long way in assisting our police force to do their work.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. John O'Toole: I hope the audience won't tune out totally, but I will be speaking next on the opposition side and I'll be repeating many of the comments that have been made, so be prepared for a fairly staid commentary.

I did listen to the member from Brant because he did bring a genuine line of sincerity to the debate, which is refreshing, and I would say his thoroughness in response to other members' comments is reassuring as well. I guess that tone is certainly appropriate for this bill. I don't want to use up all of my content here in my two-minute response, but it could be said that we're following up on actions taken in other jurisdictions on an interjurisdictional issue; that is, policing between jurisdictions, which I think is very important.

We look at CSIS—I could speak, and probably revert, with your indulgence, Mr. Speaker, to some sort of anecdotal comments with respect to my own family. My son-in-law in Great Britain actually worked in policing and for the armed forces. In fact, he works for a branch of MI5 and he spends considerable time in Washington. I'm not really sure what he does because, quite honestly, to be straightforward, he's not allowed to tell me. So I will put more meat on the bones of that one, but there again it won't be a complete story because I don't know the complete story, much like this bill.

Anyway, I compliment the member from Brant for his openness and supportive comments and would say that

when I speak I will raise a couple of points and they'll probably be just my own. There's not too much crafted here that I disagree with, but we all have a responsibility to be respectful to the police who serve our communities.

The Deputy Speaker (Mr. Bruce Crozier): Member for Brant, you have to two minutes to respond.

Mr. Dave Levac: Thank you, Speaker. I appreciate that. I want to start by saying thank you to the members from York–Simcoe, Toronto–Danforth, York West and Durham. That would be my intent, as the comments were made—my intent is to exercise a debate that provokes and gives opportunity to engage in a conversation, not in a negative way but in a positive way, to get the best possible bill that we can get to improve the circumstances of our police officers doing the job of keeping us safe and secure.

I want to come back to my first comment at the very beginning to compliment again, one more time, Minister Bartolucci and, just as importantly, his staff, who do yeoman's work in working with all of the organizations and agencies. Under these circumstances they're going to need to do some cross-border discussions as well, so I deeply appreciate their contribution as well.

I wanted to point out very clearly the stakeholders that we know are already in favour of this, not to provoke but to simply let you know that these groups are already there, and I'm guessing we'll get more and more groups onside once the bill becomes known. We do have police stakeholders—specifically, the Police Association of Ontario, the Ontario Association of Chiefs of Police and the Ontario Provincial Police Association—that support this initiative, and their rationale is this: It provides a mechanism for their members to deal with the increasing evidence and incidences of interprovincial crime and enhances the coordinated investigations that are presently ongoing.

So it's just to reinforce one more time that, yes, we already have legislation and a process and a protocol in place, but it is being abused and used by the criminals to get away with it. We're going to plug that hole, we're going to work together, all of the stakeholders and the members of this place, and we'll get a better piece of legislation. I thank you for my opportunity.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. John O'Toole: I'm just sort of updating my directory here to make sure I get the names correct. I want to start by thanking the Durham Regional Police and the Durham Regional Police Association, as well as the police services board. I would be remiss not to show that my interest goes back some distance. I know personally many of the members of the police association and meet with them annually on their lobby days. I meet with the chiefs of police, and many of our chiefs, past, present and, I suppose, future have been members of the Ontario Association of Chiefs of Police, who have their day where they bring the issues of policing to our attention.

I can tell you that former police chief Kevin McAlpine, who is now retired, had been the police chief in

Peterborough, and he moved to Durham and retired from that vocation, but he serves the community in a volunteer capacity. He's a great Rotarian and I would say contributes to the community as a civilian today and is a respected gentleman in the community.

Our chief that followed Kevin McAlpine is Chief Vern White. As has been said earlier, he came to Durham from the RCMP, where he served in northern Canada, somewhere in the Northwest Territories, I think, but it could have been Nunavut or it could have been in the Yukon. I'm not sure exactly, but I think it was in the Northwest Territories, and I'm sure he was glad to get out of the cold, if you will. He is now serving as the chief of police in Ottawa. He served for a very short time, but when he did, I had many occasion to meet with him. He was a great advocate, coming from the north where he worked with First Nations and native peoples, and knew that it was about providing policing by building confidence. So he brought, I think, a very fresh approach to the healing circles and that sort of approach that is dealt with in those communities. In community policing, I think he did bring a lot to the community.

That great work, I might say, is being continued by our current chief, Mike Ewles. Mike Ewles is probably one of the more down-to-earth people I've ever met. He's well qualified. He has served in the force at all levels and ranks and he is now the chief of police. He was very popular, which is quite difficult when you work your way through the ranks, if you will, from front-line policing. I could be incorrect here, but just for the record, I believe his wife serves as well. But the point I'm making here is that he is the most unassuming chief I've met in a long time. He is at almost every event.

1700

All MPPs, especially rural MPPs, spend a lot of time going to community events on weekends etc. It's important that we attend to respect the organization or the event. We're not necessarily there in pomp and ceremony all the time. Of course, Minister Wilkinson would come as a minister. He'd be the honourable. That's appropriate as well. He'd probably be talking about the HST, though. He'd probably be there trying to convince anyone who would listen.

Quite honestly, we do work in the community, but when I see the chief at events—sometimes it's appropriate and necessary that they're there, but sometimes they're there because they're just great citizens and trying to break down this image of policing as untouchable. That's kind of what I want to talk about. It's the civility, the bridge in the community—not the inter-provincial issues that this bill addresses. It's the importance of police leadership today.

The uniform and the gun are important traditions and important symbolic structural things in society. If you look at the organization of government itself, we have the legislative branch and we have the judicial branch, and the judicial branch is separate from the legislative branch. So they fall into that separate, non-touchable—and they have their own rules of accountability.

As was mentioned earlier, and I was very impressed—the member from Eglinton–Lawrence, on the other side, brought up, which I think was quite interesting, the whole issue of the BC decision dealing with the RCMP: highly regarded, red uniforms. We have in my area, right in my community of Durham, the Bowmanville detachment of the RCMP. They're very strong supporters of the community as well and they bring a lot of dignity with their uniforms. I hope they attend my levee every year. The RCMP are there. They have the uniforms and they bring a certain amount of respect and decorum just by the way they're dressed. I would encourage some of the pages to go to the levees in their communities, and that would include my page, Ava. I met with her family today. But I'm off track a small bit there. Thank you for your indulgence, Mr. Speaker.

The point I'm making here is that the structured part of the relationship with the community sometimes makes it difficult for people to feel comfortable. Community policing is part of that, and I think Mike Ewles does a great job. The deputy chief, who is going to be retiring very soon, which will be a great loss to the community, is Chuck Mercier. He's the deputy chief and he is similar. This fellow is so terrific. You know, I could be saying nothing, and perhaps not doing justice to the important—Chuck Mercier is a Scout leader in Port Perry, in Scugog township. He's been recognized by the township for his volunteer contribution to the young people in the community.

As a Scout leader he led the Special Olympics in Durham region. He led the whole thing. The Special Olympics was an important destination event for Ontario athletes to compete in, and he was the top person who put all that together. In his role, he's highly respected and a very modest person. If that's the impression he leaves with me, I'm certain that he's leaving that with the young people he's dealing with, whether it's inter-school activities or inter-community activities.

I'm very fortunate to have been briefed by the chief and deputy chief on issues, whether it's the domestic violence file, which I've worked on a bit, or elder abuse. Police officer John Keating is the person—I'm very interested in the issue of elder abuse. It's a very, very important emerging issue, and I'll be bringing legislation. I have legislation on the books. I should caution you and advise the listeners that I hope today to have unanimous consent to change my ballot item to allow me to debate that in November, during Seniors' Month. So I'm putting the minister—who's on duty here, I guess; otherwise, he'd be out selling the HST.

Interjection.

Mr. John O'Toole: Wednesday is his duty day.

When working with Detective Keating, I was quite impressed. He just has a special knack, kind of unassuming but professional, with a good sense of humour about the issues. You're often dealing with negative things in this job. You're dealing with people who have violated the law, whether it's speeding, robbing a bank or drug dealing, or whatever they're dealing with. Often it's

fairly negative, and that can be depressing, actually, after a while, if you're not dealing with a lot of optimism. So I want to bring that home and bring full circle to that commentary of the respect I have, and for the police in a general sense, in a much broader sense. I would only say that the issues we need to be bringing to attention here are there.

Now, getting into the bill itself, we have the police services board, as all regions do. These are appointments of people to the police services boards. It's a branch of what I call—it's a branch of, but not officially. It's kind of a civilian oversight in a way, not in the sense of under the Police Services Act but in the sense of the budget, deploying resources and interfacing with the council to make sure they have enough money to do the job.

I'm pleased to say that, in Durham, it's been pretty amicable. Police don't have the right to strike, you should know that, but they have other ways to work to rule, like in the city of Toronto last year, where baseball caps and other things emerged. The uniform that we've become used to gets maybe—so that they know there's a symbolic protest going on, because they don't have the right to strike, which is good because you wouldn't want your military or your defence mechanism going on a sit-down or a work-to-rule. Well, maybe work to rule, but that's kind of off over here.

I say that the police services boards have a difficult job because there's never enough money at all levels of government. The big debate always boils down to, "If I had enough of your money, I could solve all of my problems," and that's what the government's about.

Government, ultimately, is making difficult but necessary decisions, and the decisions that are most appropriate are the decisions where you say, "No, we're not doing that; we're doing this." The most important part of that is that anybody could be elected to say yes. There's a very important distinction here: Anyone could say yes. If you said yes all the time, and you just presented the cheque for that need—but as we see each day here, governments are in a position to say, "Why are you not funding the courts properly, autism properly, health care, cancer?" There's never and there never will be enough money. That's kind of the deal.

In policing, it's difficult—whatever's the government. It's not even political. The simplest thing I'm saying here is that it's difficult to be government. It wouldn't matter. In this case, this bill—they're working very collegially with the forces, provincially, municipally and, to the extent, nationally.

Bet's stick to some of the inside stuff. The bill says, "The bill establishes a system for temporarily appointing police officers from other Canadian provinces and territories (except Royal Canadian Mounted Police officers)"—so they're excepted, right at the preamble of the bill—"as police officers in Ontario." So any police from anywhere—the Northwest Territories, wherever—except the mounted police, could come to Ontario to do police functions. But it also recognized the possibility that Ontario police officers may temporarily be appointed

as police officers in other Canadian provinces and territories under similar legislation enacted by them. So this is interprovincial jurisdictional legislation—as the member from Brant has outlined, many provinces have gone ahead—with Ontario continuing supervision of the police officers appointed.

1710

Now, here's where we get into it. The member from Eglinton—Lawrence said it, and I'm going to repeat it, because I think he's on the right track. There are a lot of issues here where, if we don't fix this little piece—it was mentioned in the BC court decision, and the RCMP appealed it, that the province does not have jurisdiction over the RCMP. This was not even in Ontario, so I'm not criticizing. That is a problem that I leave with the parliamentary assistant. I think that if we, as an opposition, are honest about it—and it's not against the RCMP; I have the greatest respect for them—they often are the ones at the federal level that have much of the jurisdictional courage when you're dealing with some of the difficult, very organized crime, the high-level stuff. I think you're going to run into the problem that, "Well, it's an RCMP function," perhaps dealing with aboriginal issues or whatever—I'm not trying to get into the nuts and bolts of it. That, to me, is a problem.

The reason I say it is that we know we're eventually going to say, "Well, it's like BC. They recognized this decision under the taser deal at the Vancouver airport, and this fellow died as a result of actions taken and the courts have gone through that." What I'm saying is that now, after all these hearings, they've got their own police and saying, "We're not subject to provincial law." Wait a minute. I think the member from Eglinton—Lawrence said, and I agree with him, that the province is going to have an OPP. That's not how to solve this. That's all baloney. You've still got the RCMP out there doing various things, whether it's from a helicopter or whatever. And it's inter-jurisdictional; let's get over it. They could be flying airplanes from the US to BC or whatever; it's all over. This inter-jurisdictional thing is pan-Canadian, pan-North American. Mexico and BC: there were two guys gunned down in Mexico a couple of weeks ago. It was all about dope and money and organized crime. Let's be straightforward.

I think we're on the right track, but there's a piece of track that's missing, and you can't get from A to B. One piece of the track is lifted out and you can't get there from here, so you need to fix that. I'd say that's critical. The lesson and the precedent there would be the BC court decision.

The other parts here are somewhat—there are four minutes here; I could sit down, and possibly we'd be further ahead. If you look into the detail, which you have, and I appreciate it, some of this stuff is—I'm going to say it, and I'm sure this is going to offend somebody; maybe I'm better off not to say it. I think there's a bit of turf protection here, really. I understand that. It's sort of like the volunteer firefighter thing. They don't want volunteer firefighters. Well, parts of Ontario—rural,

small-town, northern, remote parts of Ontario—basically can't afford the level of service that Toronto has. Some of this is turf protection; let's be straightforward about it. There are some jurisdictions here that are—the city of Kawartha Lakes is a huge jurisdictional area.

Mr. Rick Johnson: Monstrous.

Mr. John O'Toole: It's monstrous. How in the heck could you afford to police that at the level of service—and they don't have the tax base to pay for it. So the province gives them the money for 1,000 new police officers, and it's based on some number that really is about half of what it costs for the policing, and that's only part of it.

Now, we're on very thin ice here. When we meet with the police associations—of course we all respect them. As I said, my son served in the armed forces, and they're underpaid and under-resourced too. It's a very complex. What's more important? There are people out there criticizing our military for their role in Afghanistan, and yet those are the very people we go to show respect to on November 11 and at the repatriation parades. Policing and those soldiers, often together, are our front line of defending the standards and values that we collectively stand for in here. So I'm not in any way disparaging any of that, but what I am saying is that there's often a shortage of money and there would be those who would say it should be spent on our elderly or our children with special needs before it should be spent on other things. Okay? We'll leave it at that.

But I do believe that the pertinent information here comes out of the uniform cross-border policing act, which was adopted in 2003 by both the criminal and civil sections of the Uniform Law Conference of Canada. So there is a body charged with trying to bring the pieces together. I've suggested only one possible amendment, which is to bring in the RCMP. Let's solve that problem and let's make sure that all the areas work together.

There are 10 sections of the bill, and those 10 sections are actually quite wordy. There are a lot of words in this bill for the little it does, and it's making sure they tiptoe around some of the contract issues of protection and who disciplines whom. If you have a Quebec officer that acts untoward, in an unprofessional manner, who disciplines them? Do they get suspended? What are they allowed to do? Who fires them? They don't fire them, okay? That's the end of that. It would be undercover cops.

But anyway, it's a bill that we have many positive things to say about. I have the highest regard for our critic on this file. Mr. Bartolucci, the minister, did make some, I think, very grand gestures, and his parliamentary assistant will do all the heavy lifting. But Garfield Dunlop from Simcoe North, our critic on this, has, I think, made some very complete comments on this bill, and he has the greatest working relationship with police associations at the municipal and provincial levels, as well as with the police chiefs of Ontario. So I wouldn't want to dismantle any of the good work that he has done.

Perhaps I'm the least appropriate person to comment, because I'm sort of a keep-it-simple person. I only bring

up the one suggestion to the parliamentary assistant, Mr. Levac, on trying to solve that issue of the missing tracks on the train trip. Thank you for listening.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Jean-Marc Lalonde: I'm delighted to be able to speak on this for two minutes, and I do recognize that the member for Durham does recognize the importance and the role that the OPP is playing, and also any municipal police.

My riding borders many communities of the province of Quebec. Let me tell you, when I look at Thurso, Grenville, Masson, Montebello, Lachute, Pointe-au-Chêne, they're all communities where people are coming from the other side to Ontario, and vice versa. The OPP was asking me not too long ago, "Mr. Lalonde, when is the government going to come up with a bill"—the one that we are debating today. They were telling me that when they pursue their investigations, they get on the Long Sault Bridge and they say, "Do we have to throw our guns in the river? Because we cannot pursue the investigation." This bill will be taking a hard look at it and will correct the situation.

It's very important. We have to recognize the work—when I say "the work," I mean the hard work that those police officers are doing to give us safety and security in our communities.

When I look at the duties of appointees, it's very important: "An appointee is required to notify the local police force" before performing "any police duties in Ontario." Exemptions are possible "if the duties are routine ... or if the ... the investigation could be compromised by giving notice." The appointee must perform his "duties subject to any directions issued by the ... local police force."

From now on, when this bill passes, all they have to do is—the fact that they are working together with the Quebec police, they'll have to contact them and probably make an arrangement, and I'm sure the agreement will be signed between the two police forces.

1720

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Questions and comments?

Ms. Lisa MacLeod: We in the opposition are all fighting to speak on this piece of legislation. I know my colleague Mr. Martiniuk, from Cambridge, and my other colleague Julia Munro, from York-Simcoe, were really wanting to speak to this bill because we're so proud of the member from Durham. He does a great job each time he speaks to legislation in this chamber and he speaks with great passion. He's very knowledgeable. He reads each bill front to back. I don't know if all my colleagues here know that.

But getting back to policing for one moment, I want to congratulate my colleague from Cambridge as we're moving on and we're talking about integrating police forces. He had a very important bill in the chamber last week that would eliminate access to child pornography at schools, in the education system, and as well in libraries. I was fortunate to be able to speak to that bill, and I know

a few others in the chamber were as well. It was a great job and I want to congratulate him for that. I think it shows that we always must continue to strengthen the tools we give our law enforcement officers, be they the OPP, local city police or even the RCMP at the federal level or the military police at the federal level. It's really important.

In the spirit of the legislation of the member from Cambridge, we see that the challenges our law enforcement officers face every day continually change, especially with new technology. I must point out, before I conclude, that Google has now allowed for street views just today in the province of Ontario, and all throughout Canada, and I have some serious concerns about that. I think that police forces across this nation are going to be facing challenges with that as well, just due to certain privacy concerns, but also the safety issues for our children. Thank you very much.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Dave Levac: I listened carefully to the member from Durham and appreciate the suggestion that he made. He has my undertaking to take a look at the BC decision to see if that was germane to the effect, negative or positive, on Bill 203. I can tell him and assure him that when people mention that, except for the RCMP—because they're already in the jurisdiction, they're already covered by their capacity to deal with cross-border. From the federal level it fans down into the provinces, and because the jurisdiction is already approved by the RCMP, it does not need to be put into the legislation.

Let me also suggest to you respectfully that they would be part of the types of investigations that we were talking about regarding criminal activity, gang activity, drug enforcement. They are partners in this particular issue, these types of issues, and they are participants in a friendly way with all of those jurisdictions that we mentioned, the provinces that we're putting the pieces together for.

Let me make sure there are three key areas that we need to talk about. One is called fresh pursuit. This bill will not affect fresh pursuit. It is not mentioned. It's actually exempted in this bill to ensure that fresh pursuit continues, meaning direct pursuit of a criminal across the border. Large events such as the G8 and the Pope's visit, making sure that jurisdictions have—and there's a difference between what they can do now and what they could do in this new bill. It improves the circumstances for those big events, circumstances where those officials get the powers of an Ontario police officer. Criminal investigations is the third component that I spent quite a bit of time on, which is organized crime.

So there are differences there. I appreciate what the member said and I'll do due diligence on his question.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments? The member for Durham, you have up to two minutes to respond.

Mr. John O'Toole: Thank you very much, Speaker. I appreciate the comments from the members for Nepean—

Carleton and Glengarry—Prescott—Russell. He does have a unique situation with Quebec. Similar to the OPP, they have the Sûreté du Québec, which is their version of the provincial police. Also, to the member from Brant: I appreciate his explanation on the RCMP.

I also want to say—we're speaking harmoniously here—that there are large events. Certainly the Olympics in Vancouver will be an interjurisdictional issue. I know some of the things that are going on there myself, and I know that some of the retired police are involved because they have security clearance, many of them working in volunteer roles and other roles. I have some relatives working in that sort of thing. As well, there is as the summit next year in Muskoka, I think it is the G8 summit in Canada, a big, big deal. With terrorism and all these things that are going around today, I hope those high-level things are already decided, and the federal government certainly has a role.

I still think the BC decision is worth following up on. I want to say that all of us here basically respect the fact that organized crime is pan-Canadian and it's North American. As such, we need to make sure that there are expeditious ways, whether it's the fresh pursuit issue or following up—that Ianiero family that was killed in Mexico, that's a strange case as well. You've got to have jurisdictional investigation and thoroughness, and co-operation for sure.

I want to thank the police association and their president, Doug Cavanaugh. I have known him for quite a while, and they're very passionate at the front line there in Durham. He does great work. We will certainly be meeting with those associations over the next few months. It will certainly be an important talking point to listen to what they think about this particular bill, Bill 203.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Lorenzo Berardinetti: It's a pleasure to have an opportunity to add a few comments to this bill, Bill 203, An Act to allow for better cross-border policing co-operation with other Canadian provinces and territories and to make consequential amendments to the Police Services Act.

As I've listened this afternoon to the debate, I can't help but think about something that's been on my mind, and that is, I have a younger brother, and he used to really enjoy watching a TV show called the Dukes of Hazzard. In that TV show, I always remember the chases that would happen between the police and those who were fleeing from the police. Their goal was always to make it to the state line and cross the state line, because once they crossed that state line, the police couldn't chase them any further. In simple words, what this bill is doing is allowing police to cross that state line, but in this case, it's not a state line, it's a provincial line. It's done in this bill with a number of checks and balances, which have been spoken to earlier by a number of the members present here today.

The member from Glengarry—Prescott—Russell made an excellent point when he mentioned that his riding

borders with the Quebec border. It's kind of odd that police who are conducting an investigation in his riding would not be able to pursue or follow through or go into Quebec to complete their investigation or perhaps make an arrest, if one was warranted. They have to stop and contact the police on the other side of a river or on the other side of a provincial line.

This bill is straightforward. It's simply saying that it allows Ontario to open its borders on both ends—it would be with Manitoba on one side and with Quebec on the other—so that police from those areas or other areas who want to come into Ontario can do so if they're conducting an investigation; and secondly, Ontario police who are pursuing and have to go beyond Ontario's boundaries can do that as well.

It comes down to something very basic and simple. The member from Brant spoke to this earlier, that crime respects no boundaries. If someone wants to commit a crime, oftentimes they will go past a provincial boundary, maybe even a national boundary, into somewhere else. It would be odd to continue to allow the situation to exist where a police officer, or a "peace officer," as they call them in the Criminal Code, has to stop and not go beyond the boundaries of that particular province.

1730

The larger model that, I guess, this is built on is something that the Uniform Law Conference of Canada had discussed several years ago. This body, the Uniform Law Conference of Canada, tries to bring about uniform laws for all provinces. They met a few years ago and suggested that we should have this law in place in every province, but it's up to each province to do it, to decide whether or not their police force is going to be allowed to go into other boundaries and whether or not they're going to allow other police to come into their boundaries.

I note that Manitoba recently passed legislation similar to this—it's not identical—so that their police can go out and police can come into Manitoba, so that investigations that are taking place don't have to stop simply because of a border. Ontario is trying to do the same thing, and I think Quebec is trying to do the same thing.

The goal that the Uniform Law Conference has is to have all of the provinces and the Canadian territories follow the same basic law. So the model would be that all jurisdictions, whether they be provincial jurisdictions or territorial jurisdictions, would allow for police to come in and out of the different provincial or territorial boundaries and deal with their investigations involving potential criminal activity.

I know that some people have said, "Well, things happen in Mexico, and things happen internationally." Unfortunately, in this Legislature we can only deal with provincial matters. Our Constitution makes it clear that federal matters have to be dealt with in Ottawa, through our federal government.

Our federal government has been involved in the past through an organization known as Interpol. Interpol was created quite a while back, I think it was in the 1920s, but has become quite effective in the last few years. They're an international police force, and without talking too

much about them, I think it's important to note that they're the second-largest intra-governmental organization, after the United Nations, in existence. They deal with issues that go beyond one country and into another, issues such as drug trafficking, and even human smuggling, which is becoming a problem, where people are taken from one country and brought into another country. Interpol is allowing police to work and coordinate their investigations into other boundaries. Perhaps our federal government needs to look at Interpol and other acts so that they can better deal with situations in Mexico or elsewhere—and I'm not picking on Mexico here. It could be with other countries, like the United States or in Europe, where there could be problems with criminals moving transnationally, across different nations.

But we can limit our debate today only to interprovincial issues involving the different provinces because we are a provincial Legislature and not a national assembly or a national Legislature.

This bill, as I said, makes it easier for police to investigate crimes that occur across other Canadian jurisdictions. It also provides greater accountability and oversight for police officers from other jurisdictions operating in Ontario. In other words, police just simply can't come into Ontario from other boundaries and start chasing people without notifying the authorities here in Ontario, contacting the police and saying they're from Quebec or Manitoba or British Columbia and that they need to come into Ontario because they're conducting an investigation or they're going after particular criminal activity.

Again, the criminal activity can be all types. Nowadays we're seeing more and more white-collar crime, crimes involving the Internet, crimes involving all sorts of new technology which have only come into being in the past 10 or 20 years. More and more, people are on the move. There are more cars on the road. There are more planes in the sky. There are more trains moving. More people are moving. More information is travelling, and it's also travelling at a faster speed. So we need to be able to provide our law enforcement officials, especially the OPP and the municipal police, in cases where they border with other provinces, the opportunity to go into those other jurisdictions and complete their investigations, and not drop it and say, "Well, there's a provincial line here. We can't cross this line here and go on the other side." It just hampers the investigation and plays 100% to the advantage of those who would want to perpetrate a crime. It doesn't have to be the guy that's in a car racing in a Dukes of Hazzard type of episode. It can be a simple case of somebody doing computer fraud or somebody doing other white collar crime, which is out there and maybe is not reported as much in the papers as some of the blue collar crime, but it's just as damaging or perhaps even more damaging. So we're providing our police with a tool that they need to do their job better, but we're not simply saying, "Go ahead; our boundaries are open."

We're putting in this bill in front of us, Bill 203, a number of checks and balances so that when they do come into this province they have to report or notify our police through a particular process that's outlined in the

bill that they're going to do their investigation or come into our boundaries. And the same applies when our police go into other jurisdictions: They have to do the same thing and report to those other jurisdictions that they're going in there. So it's not simply a matter of, "Let's open the boundaries up and let's have the police chase down criminals across Canada." It's a fine balance and an important one, because we all want to respect and support our police; we want to make sure that it's done in a way that is fair and in a way that's legal and in a way that has checks and balances in place.

I also wanted to talk a little bit about the appointment and oversight roles that I just mentioned. If a person is appointed, that appointee is required to notify the local police force before they can perform any police duties in Ontario. They actually have to go to the local police force, whether it's the OPP or a municipal police force, and tell them that they're going to perform certain duties here. The same thing with oversight: When a complaint is received about an extra-provincial police officer's conduct in Ontario, an investigation may take place. So if someone here in Ontario is upset and says, "A Manitoba police officer came and arrested me, and I didn't do anything wrong," there is a process here to allow the citizen of Ontario to complain and at least allow them to have an investigation potentially take place. This is extremely important. There are all sorts of other checks and balances in place so that this bill can function properly.

On the other end of the spectrum, the bill at least takes away some of the red tape that made it so difficult to go into other jurisdictions in the past, because in the past you had to have special constables in place to do this kind of work, and now the new act simply says that the officers that want to go into another jurisdiction have to notify that jurisdiction. It doesn't have to be a special officer. It's a fine balance but it's a fair one, and it's one that of course is supported by the Uniform Law Conference and it was put into their draft legislation, which is a bill they—a group of academics, professors and other stakeholders—created and presented to the various provinces.

I think we've done our job here in terms of getting the message of this bill out to those who would be affected, mostly the police but other stakeholders as well, and to have them have an opportunity to review the bill and then provide input as well. That process will not stop here today. The member from Brant spoke earlier about the fact that when this goes to committee, we'll look at the bill again, we'll hear from deputations that come to committee, and if there are amendments that are warranted, then perhaps we'll adopt those amendments and place them into this bill. But at least the intent here is a good one. Not only is the intent here good; it's also extremely effective, and by making it effective, we are able to do our job and the police are able to do their job.

1740

Again, I look here in my own riding of Scarborough Southwest, where we've got well over 100,000 people and basically one police station covering the area. The

work done by the police and the dedication by them is something that is incredible. I live in the riding and I've had a number of incidents in and around my own home on a personal level, and police will respond and take your matter seriously, and are visible on the street.

The job they do even here, in and around Queen's Park: When people come to protest, they allow the protestors to have their space to protest, but they still make sure that we're able to do our work here in the Legislature. A lot of these officers dedicate their lifetime and they put their lives on the line to do their job. In my comments I cannot help but say, at least from Scarborough Southwest and from the people who live in that riding—I can't speak for all of them, of course, but for the vast majority—the thank you that we owe to our police, who do put their lives on the line every time they wake up, put on their uniform, get into a police car and head out.

It's dangerous out there. Times have changed. There are more guns out there and there's more crime—well, there's not more crime, but the potential for being harmed is great out there. Not every job has that risk. The police have that risk always, once they put that uniform on, and it's amazing that they're able to work so effectively and, thank goodness, so few of them get harmed. Hopefully, one day none of them would ever get harmed, because their work is so valuable and their intentions are commendable in what they try to do.

So we as a legislative body here today are not saying, "Open the boundaries. Open it all up and let's have a chase right across Canada." We're saying that here are some additional tools, some additional ways that you can do your policing in a more effective way, in a way that will allow you to complete an arrest, or perhaps not complete an arrest, if you are able to go further, beyond Ontario's boundaries, and find out the nature of the problem that you're investigating.

As I said, a lot of these problems nowadays are not like they used to be in the old days. It's not simply a case of somebody committing a blue-collar crime. There's so much white-collar crime. The Internet doesn't have a boundary. It doesn't stop at the Quebec boundary. The Internet doesn't stop at the Manitoba boundary. It goes beyond there and well into other parts of Canada, and in fact throughout the world. We need to have tools in place so that the police can investigate and go forward into those jurisdictions that are inside of Canada and deal with those problems that are new and changing.

I think of the time my parents were born: my father in 1930 and my mother in 1931. They're both still alive and in good health, thank God, and they often will tell me that in their time, in the 1930s and 1940s, there was no television; radio was around but it wasn't listened to that much, and there wasn't that much transportation going on. This was in Europe, not here; this was back in southern Italy. They're still alive and they have witnessed a great deal of change. Now, instead of having to write a letter, they can pick up the phone, and perhaps even go on a computer, and contact someone abroad and be able

to do it instantly, without having to wait a week or two weeks for the letter to arrive, and that changes everything. It also changes the way the police have to operate. That's why we are trying to change the way we do things here in this bill so that the legislation will allow our police to go further beyond Ontario's boundaries.

I think this is a very good bill. Quebec is also considering this. I know that last month we signed an agreement with Quebec with respect to this issue. They're planning to introduce similar legislation soon. I mentioned that Manitoba has already done so. Hopefully, the goal is to have all provinces do the same thing.

The Uniform Law Conference of Canada, founded way back in 1918, has been doing this continuously as times have changed and as technologies and the ways of life have changed. We've reached a very different time here in 2009 than perhaps 10, 20 or 70 years ago, and we need to have these new laws in place. It makes sense. It's straightforward. But again, it requires checks and balances.

The member from Brant spoke about the fact that when it goes to committee, he's willing to look at those potential amendments to this bill. We have always been, as a party and as a government, willing to look at amendments and amend our bills before they become law. So this bill today simply allows police to go beyond our province. It's straightforward. It's supportable. I hope that all members of this House will eventually vote in favour of it, and I hope that it gets good debate at committee and that those who come forward to speak to it have great input, as well as the opposition parties, if they want to as well.

I thank you for this opportunity to speak to this bill today.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. John O'Toole: It's a pleasure to listen to the member. I think he brings civility to the discussion and, in my view, just reiterates what's really been said, as we have all been kind of repeating ourselves.

The key thing is the three principles that the member from Brant mentioned, repeating those and making sure we fix some of the little nuances around the organized crime thing. I'd like a little bit of definition, maybe in the response, on fresh pursuit. To me, if there's a hot bank robbery or bust in Quebec and they're flooding into Ontario or vice versa, is there any streamlining to make sure that the pursuit can continue right down the 401 or Highway 20?

The member from Glengarry-Prescott-Russell mentioned the same thing. There are a lot of cross-border issues, and some of them could involve First Nations with the tobacco issue. You know what I mean? Like they're running across the states and these things happen. Would these things be addressed with this bill? Fresh pursuit: Does that kind of cover "in hot pursuit"? Is that what it means? I'm interested in that.

But I would also say that the member from Scarborough Southwest was quick to point out—I believe he's a lawyer and has practised law and, as such, he

would probably bring more technical comments on the Police Services Act in response to: Is it really changing it? There's a couple of sections that do address that, but I think they're mostly which jurisdiction has authority on disciplinary action. Maybe he could sort out a couple of those things.

With that, thank you very much.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Jean-Marc Lalonde: I want to congratulate the member from Scarborough Southwest because, being a member from the urban sector, he does recognize that, in the rural sector, especially like ours, we are facing some problems.

I'm going to tell you a really good story. In my area, when the officers are pursuing their investigation or trying to arrest someone—in Chute-à-Blondeau, for example, you could get into the house; the person you are chasing could have gone into the house, but the bedroom is on the Quebec side. The house is split in half.

Another thing that I experienced: During the election campaign in Dalhousie, I was knocking at doors and all of a sudden I noticed a Quebec flag. I said, "Am I in Ontario?" "No, you're in Quebec." I was knocking on doors in Quebec.

In my area, when you drive on the road, you never know when you'll fall into the Quebec region.

1750

This is why in the town of Hawkesbury the cost just of police services, because of the times that they're not able to complete their investigations—they have to work with the police on the other side—is \$584 per household. That's very high. It's because we are facing some difficulties from not having this bill in place.

I congratulate the minister for coming up with this bill, because this is going to save money and save time for the police of Ontario, and also of Quebec, when they want to pursue their investigations or complete an arrest. That's what I thought of mentioning today.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Dave Levac: I'll be very quick because I wanted to give the member from Durham an answer on his specific question regarding fresh pursuit.

The member from Scarborough Southwest has given us another perspective of how important this piece of legislation is. I appreciate very much how he wove in a personal story, urban versus rural, and made sure that people understood the nuances of this bill. Although it could be classified as meat and potatoes, a motherhood statement, it's an important aspect of our police services, so I appreciate that.

The member from Glengarry-Prescott-Russell also talked to us, so I will define for the member from Durham, because it deals with what the member from Glengarry-Prescott-Russell said.

Out-of-province police officers, under fresh pursuit, are able to pursue a person across the border if the matter involves a breach of the Criminal Code such as impaired

driving, dangerous operation of a motor vehicle or flight from a peace officer. Out-of-province, particularly peace officers, are not able to enforce the Highway Traffic Act, so only a Criminal Code violation in a fresh pursuit across the border is permitted. The new bill does not interfere with fresh pursuit. It's maintained. We don't change that at all.

The other two issues that I want to keep repeating are the large-event piece—which the member understands is about the large scope of different types of police services coming from various sources across the world. We need to have that locked up inside of this bill. That gives the definition of what police officers do, and the scope within which they can perform inside the province of Ontario. The last one is the one that I'm harping on the most, and that is the criminal investigation piece, which continues to be spoken of across this piece of legislation. That's the one that's going to drive home our support for the police officers.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments? The member from York West.

Mr. Mario Sergio: Yes, Speaker, this time you got it right. Thank you.

I want to follow up on the comments made by the member from Brant and the appropriate comments by the member from Scarborough Southwest.

My colleague from Glengarry–Prescott–Russell mentioned a particular situation in a house with respect to jurisdiction in the police forces. You may recall very well that the member has been pursuing a labour agreement between Ontario and Quebec, and I think it finally has been solved, but I think it took him four or five years—

Interjection.

Mr. Mario Sergio: Maybe it isn't yet. Can you believe that? It isn't yet. This is one of those situations. But what we are dealing with today is a little bit different than that.

Next year, for example, we'll have a major event here in Ontario. We'll have representatives, leaders from the G20, G8, whatever, up in our wonderful country here in the Muskokas, Huntsville—Deerhurst. Mr. Fantino, our OPP chief, will have plenty to do. I'm sure he's doing plenty now. He has to rely on a lot of communication with other forces. He has to deal with other jurisdictions as well. This will probably go a long way to solving some of the issues that he will have to deal with.

But this is only one particular case. This goes beyond our province, beyond our territories, and there is this so-called cross-border issue which affects our forces. I hope that as we move this along, it can become law and assist our forces in its proper way.

The Deputy Speaker (Mr. Bruce Crozier): The member for Scarborough Southwest, you have up to two minutes to respond.

Mr. Lorenzo Berardinetti: I want to thank the members from Glengarry–Prescott–Russell, Brant, Durham and York West for their comments on this bill.

It's not finished yet. The bill is simply a bill. There used to be a cartoon years ago on television when I was young, and it talked about, "What is a bill and when does a bill become a law?" It was an American cartoon, but it got the point across that there are usually changes to the bill before it becomes a law.

Anyway, in reference to what the member from Durham had to say, I just draw his attention to part II of the bill here, "Standard appointment procedure." A commander has a whole set of rules he has to follow if somebody wants to be appointed to come into the area, into their jurisdiction. And the same with part III here. There's quite a lot said in part III about appointment procedures in urgent circumstances, and I would think that a police chase would be an urgent circumstance. It provides for all sorts of checks here. I won't go through them, but if you look at subsection 15(4), conditions can be imposed on the person doing the pursuing. It's not simply a matter of, "Load up the police car. We're going to cross the border and chase after someone." There are conditions here in subsection 15(4) that speak to that.

In conclusion, I just want to say that the bill is a good one. It makes sense. I think even the pages here understand what's being said today. Maybe they didn't see the Dukes of Hazzard, maybe it was before their time, but I know there was a remake of it. They know that we're talking today about being able to cross borders.

Second reading debate deemed adjourned.

The Deputy Speaker (Mr. Bruce Crozier): Further debate will have to wait, because my trusty pocket watch says this House is adjourned until Thursday morning, October 8, at 9 of the clock.

The House adjourned at 1757.

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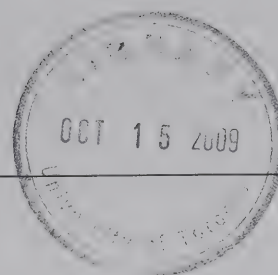
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Thursday 8 October 2009

Jeudi 8 octobre 2009

Speaker
Honourable Steve Peters

Clerk
Deborah Deller

Président
L'honorable Steve Peters

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Deborah Deller

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 8 October 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 8 octobre 2009

The House met at 0900.

The Speaker (Hon. Steve Peters): Good morning. Please remain standing for the Lord's Prayer, followed by a moment of silence for personal thought and inner reflection.

Prayers.

ORDERS OF THE DAY

INTERPROVINCIAL POLICING ACT, 2009

LOI DE 2009 SUR LES SERVICES POLICIERS INTERPROVINCIAUX

Resuming the debate adjourned on October 7, 2009, on the motion for second reading of Bill 203, An Act to allow for better cross-border policing co-operation with other Canadian provinces and territories and to make consequential amendments to the Police Services Act / *Projet de loi 203, Loi visant à permettre une meilleure coopération avec les autres provinces et les territoires du Canada en ce qui concerne les services policiers trans-frontaliers et à apporter des modifications corrélatives à la Loi sur les services policiers.*

The Speaker (Hon. Steve Peters): Further debate? The member for Eglinton—Lawrence.

Mr. Mike Colle: By default? Okay.

Good morning, Mr. Speaker and members of the House. We had a very interesting debate on this bill yesterday, and there was some good interchange. It was very informative, as members from all three parties spoke about Bill 203. I think we all learned something from the presentations by the member from Durham, the member from Brant and the member from Toronto—Danforth.

Sometimes in this House, we forget that in a very quick hour or two you can get a great deal of information about an area that may not be your area of expertise. It is at times refreshing to listen to some very productive debate. I think yesterday afternoon had a very productive tone to it, and I was glad to be here. I can't say that all the time, but yesterday afternoon was extremely informative.

Bill 203, I'll explain to those who haven't been here before and people watching, is, An Act to allow for better cross-border policing co-operation with other Canadian provinces and territories and to make consequential amendments to the Police Services Act. It's legislation

that is being replicated in other provinces. Certainly Quebec, the largest province right next door to us, has introduced similar legislation.

It's going to essentially facilitate the work of our police services, which right now face a lot of obstacles that are sometimes very bureaucratic. It was mentioned yesterday by the member from Brant that criminals and organized crime certainly never recognize any kind of boundaries, especially interprovincial boundaries, yet our police forces do, and sometimes they're really hamstrung by all the bureaucracy that restricts our police forces.

I guess the best illustration of how complicated or how obtuse this can get is a very peculiar situation near Hawkesbury that the member from Glengarry—Prescott—Russell talked about in his riding. Hawkesbury is just at the Quebec-Ontario border. One time when I was there, he showed me this house whose living room and kitchen are in Ontario and the bedroom is in Quebec. It would be quite impossible for a police officer from either province to engage in any kind of arrest of a fugitive in that house. In other words, if the fugitive saw police officers coming from Ontario, he would go from the Ontario kitchen into the Quebec bedroom and couldn't be touched and, vice versa, if Quebec police officers came into the Quebec bedroom, they could not pursue that criminal into the Ontario kitchen.

In fact, that's where the famous headstone is laid of one of our great explorers, Mackenzie, who came out of Quebec and mapped that area. I know they had a special ceremony putting in the headstone at the Quebec-Ontario border. Mackenzie went out west and discovered the Mackenzie River and the Mackenzie River valley. It was incredible. I'm just looking at the pages here. If you ever want to study a great Canadian, he was a great Scotsman and helped keep British Columbia within Canada. Sad to say, he died penniless in Montreal after essentially being one of Canada's greatest explorers. Anyway, that's where he started his explorations and mapping. He was a phenomenal mapper. He mapped the Quebec-Ontario border.

In terms of the background of this bill, right now, police face obstacles when they are unable to retain their authority across provincial borders, and the bill proposes to address that. The bill proposes to make it easier for police to investigate crimes that occur across other Canadian jurisdictions, providing greater accountability and oversight for police officers from other jurisdictions also—so it gives formalized oversight when officers come into different provinces—and it creates a streamlined and efficient system for police to continue investigations outside their home province.

The legislation also provides for the minister to designate officers to grant police powers to other provinces' police officers when circumstances require that they conduct police business in Ontario. Again, the ministry officials have worked with their counterparts in Quebec, and last month they signed an agreement with them in this respect. As I said, Quebec is introducing similar legislation. Police in Ontario already work across jurisdictional lines in the fight against crime. This legislation seeks to allow police to work across borders in a more streamlined fashion.

The work this bill would allow would be for a term of three years. As you know, some police investigations take a great deal of time and are very complex. So if a police officer from Ontario has to undertake a continued investigation in Quebec, this will allow the Ontario police officer, with the approval of authorities in Quebec, to work in Quebec on a case for up to three years, and that could be extended. But again, it would be formalized with the police service on the Quebec side and vice versa.

Just to let you know, extra-provincial police officers currently operating in Ontario—extra-provincial meaning police officers from other provinces operating in Ontario—must be appointed as special constables by a municipal police services board with the approval of the minister. Special constables are not automatically granted the same powers held by Ontario police officers.

0910

The process that exists right now is not really effective, nor does it address oversight, discipline and indemnification for civil liability. In other words, if something happens that the police officer, in the line of duty, ends up in a lawsuit, they're not protected. According to our police forces across Ontario and across the country, the present situation as it exists really does not work to the benefit of carrying out efficient police services. They've asked for this legislation. They've been asking for it, I think, for—the member from Brant is certainly correct—the last 10 years at least, that I can recall.

The Interprovincial Policing Act, 2009, here is intended to create a streamlined and simple process for an extra-provincial police officer to obtain police officer status and obtain powers in our province. Ontario and Quebec have been working together for a number of years to develop reciprocal cross-border policing legislation, and I'm sure the same thing will apply for Manitoba later on and, you know, our neighbouring provinces. Police stakeholders such as the Police Association of Ontario, the Ontario Association of Chiefs of Police and the Ontario Provincial Police Association support this initiative because it provides a mechanism for their members to deal with the increasing incidence of interprovincial crime and enhances coordinating investigations. So it's about coordination, and it's about streamlining. It's about being more effective in the pursuit of, again, criminal activity, which readily crosses boundaries.

The interesting thing there is that you could find a case where perhaps the person is apprehended in Alberta or in Manitoba by the police in that province, and that individ-

ual may have had all kinds of charges laid against him in another province—let's say in Ontario. In many cases, that police officer is never even made aware of the outstanding warrants that person has in another province. So many fugitives, or people who have been alleged to have committed crimes, will go to another province and carry on their activities, because they know there isn't enough co-operation between provinces, that there are jurisdictional walls that are very difficult for police officers right now to overcome.

That is not conducive to good law and order, because of the knowledge of the criminal element in society; they know that if they commit multiple frauds in one province, it might be very difficult for the police to apprehend them when they go to the neighbouring province. This is not conducive to controlling criminal activity, and these are the types of things that are not directly within the purview of this bill, but are some of the obstacles that police associations and the association of police chiefs want to get rid of.

So Bill 203, this bill that's before us, would provide a mechanism whereby Ontario can grant police officer status. They would get official status, and they can perform their duties right here in Ontario. There would be oversight, so they wouldn't be just freelancing. There would be a direct connection with the services here.

It's also a law that is in effect, in fact, in Manitoba, Saskatchewan, Nova Scotia and New Brunswick. Notice here that Prince Edward Island and Newfoundland are not included in this, and I hope that they would be too. You can imagine the difficulty the police forces have in the Maritimes, where you've got agreements between Nova Scotia and New Brunswick, yet Newfoundland and PEI don't give this support to police services and police officers who have to go from province to province. Certainly you know how easy it is to get from New Brunswick to PEI, or Nova Scotia to PEI, yet they can't really have that kind of protection.

"An appointee"—which is a police officer—"is required to notify the local police force or Ontario Provincial Police detachment before he or she performs any police duties." The local police officers, police force or police services would know that this officer is engaged in his or her work in an Ontario jurisdiction. It would be known to them, which is important.

"An appointing official may terminate an appointment if the appointee fails to comply with the act, the Police Services Act...." Therefore, there are restrictions and there are oversights on this police officer from another jurisdiction. The police officer is certainly under supervision. But the appointee has all the rights and protections of a police officer in Ontario for the duration of the contract. That is very important to the police officer in this extra-provincial jurisdiction—that they have their rights and protections.

There's also a complaint process if a police officer is engaging in activities that go beyond their scope. They're also subject to discipline where he or she is employed. An Ontario police officer who is appointed in another

province or territory is required to co-operate with any investigation, inquest or hearing in that province or territory. As you know, that is very germane, given the recent British Columbia inquiry into the tasing incident at the Vancouver airport, where, as you know, they don't have a provincial police force, they have a federal force; the RCMP does the work of our OPP.

At that inquiry, ironically enough, the federal government is arguing that the inquiry has no jurisdiction over the RCMP officers who are being questioned and who are the subject of the inquiry of the tasing that resulted in the unfortunate death of a Polish immigrant. The federal government, and I think the defence counsel for the RCMP, is saying that the provincial inquiry has no jurisdiction over the RCMP officers and their actions, which is quite difficult for us here in Ontario to understand. In fact, some members of the legal community and some members of the BC Legislature are saying that maybe it's time for British Columbia to look at having a provincial police force, because in essence, it's a question of whether or not the RCMP is answerable to the provincial Legislature and the laws of the province of British Columbia.

This is a very contentious issue in British Columbia right now, because they don't have a provincial police force. And that's why in this legislation here, there is a very interesting proviso in it that, "An Ontario police officer appointed in another province or a territory is required to co-operate with any investigation, inquest or hearing in that province."

"The complaints and discipline provisions of the Police Services Act continue to apply to an Ontario police officer who is appointed as a police officer in another province or a territory." The same rules apply to their conduct as would apply if he or she was doing work in an Ontario jurisdiction. There are oversights. There are very strict protocols in place by this legislation. It is legislation that, again, facilitates modern-day policing and essentially gets rid of the bureaucratic hurdles that exist right now.

0920

We have enough problems with jurisdictional disputes between police officers in Ontario and the United States, for instance. I know that the member from Chatham-Kent has been trying for years to get action on Americans who race through his riding every day at high speeds. If I recall correctly, police officers in Chatham-Kent can ticket them but can't collect the fine, so Americans coming across the border—not all Americans; Chatham-Kent, you know, is a wide-open jurisdiction with the 401 going through it, and they feel they can break the laws of Ontario because the tickets that are issued to them by the Ontario Provincial Police are not going to be collected. The odd thing is that I know the opposite occurs when we go to the United States. They make sure they collect money from you right on the spot. I think you have to give your credit card. It's almost impossible for a Canadian to avoid any tickets that come from the United States.

This bill does not deal with the international enforcement of police activities across foreign borders, but it

facilitates the work and enforcement of our police forces within Canada. I think it's a bill that is helpful. It has been called for by our police services. It certainly makes their work a little less bureaucratic and, I think, more effective. I think it will help protect Ontarians and also send a signal to marginalized nefarious people across the country that they can't hide behind the bureaucracy of interprovincial boundaries to avoid incarceration, just because of the bureaucracy.

The Acting Speaker (Mr. Jim Wilson): Questions and comments?

Mr. Norm Miller: It's my pleasure to add some comments to the speech by the member from Eglinton-Lawrence. I suspect he wasn't really planning on giving a speech; I think we were expecting the third party to be doing their lead on this bill this morning.

I think the bill, in theory, looks like it makes a lot of sense. It's about allowing police forces to follow their cases across provincial and territorial borders. As was pointed out, there are many complex investigations, and criminals don't necessarily respect provincial or territorial borders, so it seems to me to make some sense. I expect that we will be supporting the bill, and I may get an opportunity to add some more comments on this bill in a few minutes.

The Acting Speaker (Mr. Jim Wilson): Further questions and comments?

Mr. Howard Hampton: I actually have a question that I want to raise. One of the difficult issues in policing is that of holding police services responsible. We often hear the complaint that police should not be investigating police. This act, at least on the face of it, would seem to provide for the eventuality that police officers from another jurisdiction could come to Ontario and possibly conduct investigations of police services or police officers in Ontario. So I want to ask the government if they are prepared to state at this time if it is one of the intentions of this legislation that it would facilitate situations where police officers come from Quebec, from Manitoba, from British Columbia—presumably they may not be as well-known here as they are in the province they originate from—and those officers might, from time to time, be charged with investigating police officers in Ontario or, indeed, possibly individual police services in Ontario.

I think this is an important issue to get at, so I'm asking if that is, in fact, one of the intentions of the government in putting forward this legislation. I'd be very pleased if we could hear from the government on this issue; otherwise, this will be one of the issues, of course, that would have to be raised at committee.

The Acting Speaker (Mr. Jim Wilson): Further questions and comments?

Mr. Dave Levac: First, let me assure the member from Kenora-Rainy River that I'll get to him in a second, but I'd like to compliment the member from Eglinton-Lawrence for his overview of the bill. He covered off most of the key points as to why we've gotten here.

Getting back to the member from Kenora-Rainy River, inside of the legislation, what we're attempting to

do—there isn't an attempt to specifically talk about oversight. The idea of the bill was originally created in 2003 by the law enforcement organization that came to us back in 2003 and had previously looked at the cross-border issue. Specifically, it was to try to get in front of or at least keep up with the criminal element that's going across the border.

The analysis of the bill required us to deal with what you're talking about. Police officers who are given police constable status in Ontario will be subject to the very same rules and regulations that apply in Ontario, meaning that oversight, liabilities and all of the rules and regulations that exist in Ontario would be applied, which means SIU investigations as well. So if any activities involving a police officer result in the injury of any civilian or any person in Ontario, they would be evaluated and investigated. The SIU would still be part and parcel of the investigation.

Any rule and regulation that exists within Ontario is applied to those constables entering, with the understanding of the area which he's coming from. In terms of a reciprocal agreement, for example, Quebec and Ontario have signed off on a similar agreement. That means that anyone leaving Ontario to perform duties in Quebec would be subject to the same rules and regulations.

I hope that starts to answer that, but we will go to committee and we will go further in depth on that.

The Acting Speaker (Mr. Jim Wilson): Further questions and comments?

Mr. Jean-Marc Lalonde: I have to say that I fully support the issue that was brought to our attention by the member for Eglinton—Lawrence. Let me tell you, bordering the province of Quebec, we do experience negative effects because of the fact that we don't have the right to pursue or complete our investigations. First of all, it's costing the Ontario Provincial Police a lot of additional money when they have to pursue their investigation and they are not able to go to the Quebec side.

But at this point, I would like to congratulate the Premier. Really, he's the first one who sat down with all the Premiers of this beautiful country and discussed those border issues. This is a very, very important one. They refer to Chute-à-Blondeau, where you pursue an investigation, you get to the house and you speak to the people—you're in Ontario, but the person just has to go to his bedroom and we cannot do anything because the house is built right on the border and half the house is in Quebec and the other half is on the Ontario side.

Also, this bill would have a positive effect for not only Ontario and Quebec but also the other provinces surrounding Ontario. So it is a bill that all parties should support for the benefit of all our police forces in Ontario.

0930

The Acting Speaker (Mr. Jim Wilson): The honourable member for Eglinton—Lawrence has up to two minutes for his response.

Mr. Mike Colle: The member from Kenora—Rainy River raised a good question there, and I think the parliamentary assistant from Brant mentioned that those issues

will be looked at and there will be committee hearings for more input. I thank the member from Parry Sound—Muskoka for his input and also the member from Gengarry—Prescott—Russell, who again, I think, most pragmatically illustrates the complexities of interprovincial policing, especially if you live on the Quebec border.

I can remember one of the funniest things that was ever reported in the Ottawa newspapers back in the 1970s was that there was a driver who was apprehended in Ontario for speeding, and the individual was found to have a Quebec plate in the front and an Ontario plate in the back of the car. It was quite hilarious. I can't remember all the details, but it was a convoluted way of trying to avoid the speeding charge because of the licensing of the vehicle. It seemed that the owner and operator of the vehicle would argue on both sides of the Ottawa-Gatineau border that he was licensed in the other province and could avoid the speeding charge. You can imagine that happening on a regular basis with police officers who are seeing people engaged in nefarious activities going back and forth across the borders of Quebec and Ontario.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Norm Miller: I'm pleased to have the unexpected opportunity to speak to Bill 203 this morning, which is An Act to allow for better cross-border policing co-operation with other Canadian provinces and territories and to make consequential amendments to the Police Services Act. As the member from Eglinton—Lawrence pointed out in his speech, criminals don't necessarily respect provincial borders or territorial borders, so this bill is about assisting police officers in their work.

Many of the cases that police officers are investigating are quite complex and go on for many years. It might be a fraud investigation, it might be drug cases, it could be white-collar crime—and we're reading more and more in the news these days about Ponzi schemes going on. This bill would allow, for example, an Ontario Provincial Police officer to be appointed in one of the other provinces or one of the other territories for up to three years so that they could follow their case where the case leads them. I think that makes sense, so I would expect that we will be supporting this legislation.

The bill establishes a system for temporarily appointing police officers from other Canadian provinces and territories, except the Royal Canadian Mounted Police officers—and I suspect that's because they're federal, so a higher level of jurisdiction, although that creates some big gaps across the country—as police officers in Ontario. It also recognizes the possibility that Ontario police officers may be temporarily appointed as police officers in other Canadian provinces and territories under similar legislation. That's essentially what it does. The police associations support this and I think it just makes sense.

Parts II and III of the bill deal with the appointments. Part II of the bill sets out the standard procedure for appointing a police officer from another Canadian jurisdiction: "Under this part, a request may be made by a commanding officer or other head of a police force in

another Canadian jurisdiction ... that a police officer under his or her command be appointed as an Ontario police officer." The process for doing that is, "Before deciding to make the appointment, the appointing official is required to consult with any Ontario police force that will be primarily affected by the appointment and may consult with any other police force that will or might be affected. The appointment can be for a maximum of three years and an extra-provincial police officer may be re-appointed in Ontario" for an additional three years. So you could have an actual six-year period where that police officer is appointed as an extra-provincial police officer.

"Part III of the bill sets out the procedure for appointing an extra-provincial police officer.... If the extra-provincial police officer's proposed operation or investigation in Ontario would be compromised by the delay of applying under the standard procedure, the request for appointment may be made to the commander of an Ontario police force or of an Ontario Provincial Police detachment ... who may appoint an extra-provincial police officer as an Ontario police officer for a maximum of 72 hours." This is where we're getting into a case where it's quite urgent, and if you went through the standard procedure there might be delay which would affect the investigation of the police officer.

I would just relate this to some of the current goings-on in the province right now, where we've seen situations where there's been urgency placed on endeavours of the government, and it's really backfired and created a lot of waste. We just need to look at the case of eHealth, the Ontario electronic health records, where the Premier personally appointed Alan Hudson, the chair of eHealth, who personally appointed Sarah Kramer, the CEO of eHealth, who—

Mr. Mike Colle: What's that got to do with the bill?

Mr. Norm Miller: It's dealing with the section to do with haste and urgency and the special requirements in this bill. I'm pointing out how, in the current actions of the government, when they've tried to have a sense of urgency, it's really backfired. In the case of eHealth, let's say, the Premier appointed Alan Hudson, who personally appointed Sarah Kramer. As we saw from the Auditor General's report yesterday, there was a real sense of urgency impressed on them, and they basically got into all kinds of consultant deals. We've seen a billion dollars wasted with very little to show for it because of that sense of urgency that came directly from the top, from the Premier to the chair of eHealth and to the CEO of eHealth. Then the board didn't feel like they needed to do their job, and, as a result, we had consultants hiring consultants and unbelievable waste, as documented yesterday in the—

Interjections.

The Acting Speaker (Mr. Jim Wilson): Order. I just would remind the honourable member to try and keep your comments within the context of this legislation, please.

Mr. Norm Miller: As I say, I was relating that to the section in this bill, the urgency section, where a police

officer can go do this faster process and be appointed for only 72 hours, and pointing out the pitfalls if you rush and don't follow the normal procedures.

Also there is a section here, part V of the bill, that deals with oversight. Again, we've seen a lot of lack of oversight. There was the problem again at eHealth, at OLG and now at Cancer Care Ontario, we hear, so obviously oversight is really important. There's another section of the bill dealing with indemnification and then general provisions as well.

I would certainly like to note that in the riding of Parry Sound–Muskoka, we have Ontario Provincial Police who, I think, cover all the districts of Parry Sound–Muskoka, and they are doing a fine job. They're a very professional police force. Of course, this year is the 100th anniversary of the Ontario Provincial Police in the province, and I had an opportunity to attend a few different functions celebrating those 100 years. I note that when I was up at the International Plowing Match in Earlton, there was a display in the parade there put on by the Ontario Provincial Police celebrating their 100 years of service to the province of Ontario.

But getting back to the specifics of this bill, it's dealing with cross-jurisdiction policing, appointing extra-provincial police officers. One of the questions I would have is, why does it not deal with the United States? Obviously that's a very significant border for our country and for our province, and I would suggest that in terms of crime, in terms of guns coming into the province—for example, illegal handguns come from the States more than any other place. It would seem to me there's a lot of crime that crosses that border as well, so I wonder, to the government, why this bill doesn't also deal with some sort of arrangement with the United States and the states that border the province of Ontario so that our police officers could also follow the crime across the American border. Maybe someone in the government can respond to that when they get an opportunity.

0940

I know the member from Eglinton–Lawrence has had various handgun-related private member's bills. I would simply argue that in my personal opinion, those are more about politics. In Ontario and Canada we have very strict handgun rules. You have to go to courses. In my opinion, a huge majority of the people who are licensed to operate a handgun are probably the safest people around. They have to have a permit to take them to the place where they're allowed to shoot them, usually at a range or a club, and they're very responsible people.

The problem we have is all these illegal handguns that are coming in from the United States. So I wonder why this bill doesn't also deal with the situation of cross-border arrangements for police officers into the United States.

With that, I think the bill is fairly straightforward. I think it will be important that it goes to committee because there are other aspects—in this short time I have had to speak to it—that need to have the input of professionals and those stakeholders who might be affected by

it. Give them a chance to look at the bill. So I think it will be important that it goes to committee, but I think that our party will be supporting this bill.

The Acting Speaker (Mr. Jim Wilson): Questions and comments?

Mr. Howard Hampton: I listened with interest to my colleague from the Conservative Party, and I think a couple of points he made deserve some elaboration so I want to just reference them again.

When the minister announced this legislation, he said it was going to result in seamless policing. As I read the bill, that statement is quite a lot of hyperbole. This is not going to result in seamless policing. For example, I note that Quebec does not have legislation at this time permitting what is described here. I would think that one of our biggest cross-border policing issues would be with the province of Quebec. I think particularly of the issues of smuggling cigarettes, car theft—because we have a number of car theft rings—and other issues along those lines.

I would also think that one of our biggest issues, as my colleague from the Conservative Party acknowledged, would be the issue of cross-border policing with respect to the United States. We have a number of issues with the American states. One of the biggest issues is, of course, the smuggling of handguns across the border. One of the other issues is the whole drug trade across the border.

When the minister responsible for the government describes this bill as seamless policing, I don't see any provisions in this bill that would address those issues. So I wonder if my Conservative colleague would agree with me that there has been a bit of hyperbole on the part of the government in trying to describe this bill as resulting in seamless policing.

The Acting Speaker (Mr. Jim Wilson): Further questions and comments?

Mr. Dave Levac: Forgive our enthusiasm for trying to improve the system.

Quite frankly, what we need to talk about specifically, to the request, was on the two issues that were debated yesterday. My responses were, I thought, genuine and an attempt to try to explain why certain sections were there or weren't there.

The RCMP is the national level. They already have jurisdiction in Ontario, and contrary to what some people might want to try to pinpoint, they do co-operate with the types of crime that we're talking about and they have started to share information that at one time was not shared. The "seamless" comment we're trying to talk about is to improve the circumstances by which the criminal does not get the edge.

The discussion is not based on whether or not any regulatory stream is designed to infringe on anyone's civil liberties; it's to help us fight the bad guy. The bad guy relies on us not to make it as seamless as possible to cross the border. The very issue that the member from Kenora-Rainy River brought up was in terms of where people use the trafficking circumstances inside our own nation.

And now we're talking about the other reason why it's difficult, which is that there is ongoing dialogue and discussion about contraband and travel of car parts and cars, international and national in scope. Those discussions are going on with officials in the United States. This bill is to deal with our nation's flow between provinces. Contrary to what the characterization is, there is an ongoing discussion, as a matter of fact a signed agreement with Quebec, in order for us to get to this point, and they will be introducing legislation very soon to complement the type of bill that Bill 203 is talking about.

So, yes, maybe the enthusiastic words of "seamless" can be challenged or questioned, but the enthusiasm is buoyed with the reality of making it a lot easier for our police officers to get the bad guy. That's the purpose of this bill.

The Acting Speaker (Mr. Jim Wilson): Further questions and comments?

Mr. Garfield Dunlop: I'm pleased to rise and make a few comments on my colleague's comments earlier.

This bill is nothing but a disguise bill; you know that. Police officers from across this country have worked in each other's provinces for decades. I know a number of police officers, particularly with the Ontario Provincial Police, who work right across the country today. They're working on different cases.

I have listened to the Ontario Association of Chiefs of Police; I've listened to the Police Association of Ontario. Never has this become a topic or a major concern that they have.

I consider this to be a disguise to take attention away from all the different corruption and mismanagement of the economy by the McGuinty Liberals. That's what this is really all about.

We've watched an \$18.5-billion deficit come before our eyes. We see a billion dollars wasted at eHealth. It goes over and over and over. And you know what? They want to talk about law and order, suddenly. They care about law and order at a time when we just gave away a billion dollars. Finally, someone on that side of the House actually resigned over it, and many more heads should roll as a result of that.

If anything, we should be starting to look at police investigations into what's happening with this government. When you start wasting a billion dollars, taxpayers' dollars, something is seriously at stake. It's going to be a long time before people will forget this.

The Acting Speaker (Mr. Jim Wilson): Further questions and comments?

Mr. Mike Colle: Unlike the previous speaker, I'm going to comment on what the member from Parry Sound-Muskoka talked about.

He talked about the smuggling of guns. I've had a private member's bill which calls for the confiscation of the licence of a person who is caught smuggling or in possession of an illegal handgun, an unregistered handgun, in their vehicle. That bill of mine is supported by Police Chief Blair of Toronto, the Toronto Police Association, the Ontario Provincial Police Association and

Chief Fantino because, as the police will tell you, it's virtually impossible to convict anyone who has a gun in their vehicle of illegal gun possession. Many Americans—not many, but a number of Americans—in trucks and cars come across the border with guns underneath their seats, guns in their trunks—illegal handguns, I'm talking about, unregistered, sometimes with the numbers marked off—and the police can't do anything about it.

That's why the police forces have asked for legislation which says that if you're caught with an illegal handgun in your car, you should lose your licence for seven days and should have that car impounded. What are you doing with an illegal handgun—or six or seven illegal handguns in some cases, police have told me—in your car? And they get off every time. They get off because the people smuggling in the guns say, "Well, I leased the car. I borrowed the car. I didn't know Canadian laws."

So the Tories can talk about being tough on crime, but they're never tough on illegal handguns. Why do they not stand up and say it's wrong to have illegal handguns in this province? Why do they not stand up with the police to stop these illegal handguns? They're talking out of both sides of their mouth.

0950

The Acting Speaker (Mr. Jim Wilson): The honourable member for Parry Sound–Muskoka, you have up to two minutes for your response.

Mr. Norm Miller: Thank you to the member from Kenora–Rainy River, who certainly brought up some very valid questions about whether Quebec is part of the process in signing a similar agreement.

He also brought up good issues. He mentioned cigarettes. We have a situation in Ontario where 50% of cigarettes sold in the province are illegal cigarettes. That's the worst in Canada. I know I met with the Ontario Korean Businessmen's Association recently. We have small convenience stores going out of business because this government is not enforcing the rules and is allowing 50% of the cigarettes to be sold illegally.

He talked about car theft—I know we have a big problem with cars being shipped internationally in containers and not being inspected—and the drug trade across the US border. We should have an agreement with the States as well.

Thank you to the member from Brant, who talked about the RCMP, and the member from Simcoe North, who feels this bill is really a diversionary bill to get away from the big problems of the billion dollars wasted at eHealth and an \$18.5-billion deficit the government is now facing. Certainly I would agree that this government has lost all credibility when it comes to managing the economy when you look at the recent public accounts, where the deficit just went from \$14 billion to \$18.5 billion.

To the member from Eglinton–Lawrence, I'm sorry, but I think your private member's bill is all about optics. It's fluff. An illegal handgun is an illegal handgun. There are federal rules that deal with it. Give me a break. That's unbelievable. Your bill is fluff, and that is the truth of it.

With that, Mr. Speaker, thank you for the opportunity to comment.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Howard Hampton: First of all, let me ask for unanimous consent to stand down the lead for the NDP caucus. I do wish to contribute to the debate, but Mr. Kormos, who was to do our lead, as I understand it, is at the chiropractor this morning.

The Acting Speaker (Mr. Jim Wilson): I just remind the honourable member that it's stood down indefinitely. Thank you.

Mr. Howard Hampton: I do want to make a few comments about this legislation. First of all, I want to make the comment that this is certainly not earth-shattering legislation. This legislation is already in place as law in Saskatchewan, Manitoba, New Brunswick, and as I understand it, Nova Scotia. Legislation was first put in place in 2004 by Manitoba, Nova Scotia in 2006, Saskatchewan in 2006 and New Brunswick in 2008.

When you talk to those provinces, they're very clear. They say, "Look, we have no difficulty in having officers, say, from Winnipeg go to British Columbia, to Vancouver, and have them recognized—that can be done—but there's always the issue of, can it be done in a timely way?" That's really what this legislation is about. It's about ensuring that if you're in a drug investigation, if you're in a car-theft investigation and a car has been stolen, let us say, in Winnipeg, and you think the car-theft ring is operating in Vancouver, and that's the destination of the car, an officer from Winnipeg can be recognized as, and act as, a police officer in British Columbia in a timely fashion. That's what this legislation does.

To that extent, New Democrats support this legislation. We think there should be a timely mechanism whereby a police officer investigating an alleged crime that may have happened in Toronto should be able to go to Winnipeg, if that's where the investigation leads him or her, and should be able to go there in a timely fashion and act with all of the capacity, but also all of the responsibilities, of a police officer in that province for the purposes of furthering their investigation. We support that. To that extent, we think that this will move in a positive direction. When we talked with Manitoba, Saskatchewan, New Brunswick and Nova Scotia, they were very clear. That's really what the legislation accomplishes.

I mentioned a minute ago the hyperbole of the minister when he announced the bill. He said that this was going to lead to seamless policing. I just want to discuss that in the context of a number of things that I think a majority of Ontarians would consider our major criminal activity problems. As I said earlier, one of our major problems in Ontario is the importation of illegal handguns from the United States. Witness only a few years ago the number of people shot on the streets of Toronto, and I think the results of the police investigation were that the majority of the firearms were handguns that had come from the United States in a completely illegal process: guns that were not registered in Canada; guns that

had arrived over the border illegally. I think people at home would want to know: Is this legislation going to do anything either in terms of process or substance to deal with that issue? The fact of the matter is, this legislation will do absolutely nothing to address that, because this legislation doesn't address issues which might arise with American states or the government of the United States. So when the minister—and I know that this minister is often given to hyperbole—says that this is going to result in seamless policing: It's not going to result in seamless policing at all with respect to the very large problem of illegal handguns entering Ontario from the United States. It's not going to do a thing about that.

Let's talk about the issue of the drug trade. I live in a border community. I live in a community where, on average, a million Americans cross the border every spring, summer and fall, most of them for the purpose of going fishing or hunting or engaging in a wilderness canoe trip, that sort of thing, but some of them come with other motives, other ideas in mind. I know many of the people who work at Canadian border services in my hometown and yes, they have confiscated handguns. They have called the police to make arrests with respect to the drug trade. They have even, in some cases, found evidence of abduction, people who were abducted in a city in the United States. They attempt to bring them across the border. They've done excellent work in terms of the apprehension of those sorts of things. But the drug trade is a big problem, and I think people would agree with that if you look at some of the information that's out there about the size and the value of drug shipments that are sometimes apprehended. I think people would want to ask: Is this legislation going to do anything about that cross-border drug trade? Most of the cross-border drug trade is back and forth out of the United States. Is it going to result in seamless policing with respect to that issue? The answer—and I think the government would be wise to admit this up front—is that it's not going to do anything about that, because this legislation doesn't pertain to US states or US federal policing officials. It has nothing to do with that, so it's not going to result in seamless policing there.

The next issue which I think people need to think about is this: We have a big problem with the smuggling and sale of illegal cigarettes in Ontario. Some of those illegal cigarettes come from the United States, and there have been various television and other documentaries which illustrate how that happens. I think we also need to acknowledge that a great number of those illegal cigarettes come from Quebec. As it stands now, will this legislation have any immediate effect on that? With respect to the smuggling of cigarettes from the United States, no. Again, this legislation doesn't deal with matters pertaining to US states or the US federal government insofar as "seamless policing" applies.

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Will it have anything to do with the issue in terms of the smuggling of illegal cigarettes from Quebec? What we're told is, the government says, "Well, Quebec is

working on similar legislation." But as I understand it, unless and until Quebec does have similar legislation, this is not going to provide for seamless policing on that issue at this time either. We need to have similar legislation from Quebec before this will really be effective or potentially be effective on that issue. Even there, it's not going to be particularly effective unless and until the government of the day in Ontario decides that the smuggling, the trans-border shipment, the sale of illegal cigarettes is an important public issue. So far, I don't think we've seen any indication of that.

At best, this legislation might result in more effective policing on that issue vis-à-vis the province of Quebec—it might. We don't know yet, because we aren't certain what Quebec's going to do. The government says that Quebec intends to bring forward legislation like this. We have not seen it at this time, and until we see it, I think we're dealing with hopes and wishes.

Having said that, it's the intention of New Democrats to support this legislation, but we think the government needs to be very clear on what it's going to do and what it's not going to do. To say that it's going to result in seamless policing is way beyond the pale and is a bit of hyperbole, I would say, in the extreme. I think this government needs to level with the people of Ontario. I think that was the real import of what the Auditor General had to say yesterday: The government has got to be open and transparent and drop the hyperbole, because the hyperbole, as the Auditor General pointed out yesterday, is not matched by reality. In fact, there's a \$1-billion gap on that particular issue with this government at this time.

We will be supporting the legislation, but we want the legislation to go to committee because we think there needs to be some discussion at committee. We hope we can bring forward people who have particular expertise in this area so that at the end of the process, people in Ontario will know what it is they're getting and what it is they're not getting. I would say as well that when dealing with these issues, we need to pay particular attention to the dots and the dashes, the commas and the exclamation marks, because whenever you have policing issues, you have police oversight issues. Whenever you have policing issues, you have issues of rights and issues of capacity, but you also have issues of responsibility, limitation and, as I say, oversight. We think these are questions that need to be examined in greater detail in committee so that the people of Ontario will have a better idea of exactly what they're getting.

I just say again, the government's efforts to sell this as seamless policing is hyperbole compared to what we heard from the provinces of Nova Scotia, New Brunswick, Saskatchewan and Manitoba. They said, "Look, this bill, this legislation is really all about allowing police services to do something in a timely way rather than having to wait five months, six months or seven months for police services to get through what sometimes is a cumbersome process." That's the real import of the bill and that, New Democrats can support.

The Acting Speaker (Mr. Jim Wilson): Questions and comments?

Mr. Dave Levac: The member from Kenora–Rainy River entertains us with some extremely impressive—and I know he has the reputation of the lawyer's understanding of the argument. In his understanding of the argument, he tries to say that the characterization of the bill is to correct all the ills and the problems of policing in Ontario. Does the bill take care of jaywalking? No, it doesn't, and that's not what this bill's going to do. But what I would respectfully suggest to the member is that if he reads Hansard, to take a look at my speech and understand that I did give some response to the concerns that were being raised by the members regarding the United States and regarding Quebec.

The one piece that I will advise him on is that with this legislation, Quebec officers will still be able to come into Ontario and do that work, which is an important aspect in, as I said, the fluid movement of crime prevention and crime work that our police officers need to do. I can give him my assurances that the discussion and the signed agreement between Quebec and Ontario was with the intent of having legislation. So, yes, you are right to ask at this moment, "Let's see that legislation," and yes, we are going to committee. Our intention is to take it to the committee and to bring those experts there to answer some of the more lawyerly questions that do come up in that debate; to ensure that that's done.

I don't agree with the characterization of this being fluff. We have had endorsements. You didn't make that—others have, and unfortunately they're missing the point. The point is that we have endorsement from law agencies across Ontario that believe that this is another good, solid step. And yes, your characterization of this particular piece is as one of the pieces of the puzzle that needs improvement, because the bad guys are using it. Not only do they not respect borders, they actually count on our present way of doing things to delay things for them to get the job done. We plug this hole, we—

The Acting Speaker (Mr. Jim Wilson): Thank you. Further questions and comments?

Mr. Garfield Dunlop: I'm pleased to rise and make a few comments on the member from Kenora–Rainy River. I agree with him. I think what's important here right now is that if the government is so adamant that this is such important policing legislation, that we do take it to committee and listen to all the experts who are demanding that this legislation be passed.

As I mentioned earlier, as critic for community safety, I talk to a fair number of policing partners throughout the course of a year. It just hasn't been on their radar as far as any of their comments to me. I haven't had a letter from any of the police associations, from the OACP or any of the police service boards. It just hasn't been out there. But if it's important that we deal with this, fine. We'll listen to those comments and in all likelihood we will support this legislation. But I just didn't think it was something that, at a time when we're running huge deficits here in the province of Ontario, when we see all these scandals happening, the summer of scandal—I didn't think it was the type of legislation that was predominantly that important to bring forward at this time.

However, we will deal with it, we'll listen to it and in all likelihood we will support it. But in the end, let's have some committee hearings and see what the general public has to say. We'll get all these policing partners in to support the legislation and give us the reasons why it's so important to pass today.

The Acting Speaker (Mr. Jim Wilson): Thank you. Questions and comments? The honourable member for—I want to get it right here—Glengarry–Prescott–Russell.

Mr. Pat Hoy: Chatham–Kent–Essex, Mr. Speaker. You were close, there.

I'm pleased to rise and make some comments on Bill 203. I should say, although I am the member for Chatham–Kent–Essex, I have a private member's bill to change it to Chatham–Kent–Leamington, which would be much more appropriate to the folks back home in the designation of that riding that I'm proud to represent.

It seems, after being here for a couple of sessions now, that we have general agreement on Bill 203 amongst the three parties. There is a desire amongst all three parties to have this bill go to committee and have those folks who have a keen interest and knowledge of this bill come forward and make their views known. The parliamentary assistant has made that undertaking, that this bill would go to committee, so we can do exactly that.

I had the opportunity to attend a seminar put on by the police; this happened to be the Ontario Provincial Police and not the municipal force that we have. They talk about "the bad guys." That's a term, a catch-all phrase that they use about criminal activities that go on. One thing they emphasized during that seminar on how to protect your home, your auto, for example, and your personal belongings, a person's purse or something of that nature: They said that the criminal element has all day to think about what they're going to do next. They're not working; they're involved in criminal activities, so they have all day to plan what they might do in the future. If it isn't tomorrow, they plan again tomorrow for what they may do on the third day, and if it isn't that day, they plan what they might do on the fourth day. It's not too far-fetched to understand that they've figured this out, that if they can get to the border, under the current system that we have, they could escape apprehension by our various police forces. We need to give them the tools to capture those bad guys.

The Acting Speaker (Mr. Jim Wilson): Thank you.

I apologize for not getting your riding name right. Further questions and comments? Seeing none, the honourable member for Kenora–Rainy River, you have up to two minutes for your response.

Mr. Howard Hampton: I do have to respond to some of the comments. The comment that if you commit a criminal offence all you have to do is get to the border with Quebec or get to the border with Manitoba and you're scot-free just doesn't hold water. A criminal offence committed in Ontario—once you get to the Manitoba border or the Quebec border, you're not scot-free. Criminal law is the law of Canada. This has nothing to do with, "Oh man, today, if you murder somebody in Toron-

to, as long as you get to Montreal, you're scot-free." That's nonsense, complete nonsense, and I wish government members would stop making those kinds of speeches.

This legislation does not change the criminal law, and it doesn't make any amendments to the criminal law. This simply facilitates things for police services that are conducting an investigation, for example, an investigation of, let's say, electronic gambling, since electronic issues seem to be the flavour of the day. This would simply allow police who maybe want to begin an investigation in Toronto and continue the investigation in Winnipeg, because that's where they think it originates—police officers from Toronto would be allowed to go to Manitoba and do their work in a more timely fashion. That's what it would do. But it's not going to change the criminal law, as some members of the government would have us believe, and it's certainly not true that, as it stands now, you could commit a criminal offence in Toronto and as long as you get to Montreal, you're scot-free.

Second reading debate deemed adjourned.

The Acting Speaker (Mr. Jim Wilson): It being just about 10:15 of the clock, this House stands in recess until 10:30, at which time we will have question period.

The House recessed from 1012 to 1030.

INTRODUCTION OF VISITORS

Mr. Ted Chudleigh: I would like to introduce page Chantelle Colangelo's parents and her grandmother: Fiona Colangelo, her mom; her sister, Alayna Colangelo; and her nana, Fiona Swain, in the members' gallery. Thank you for joining us.

Ms. Andrea Horwath: I would like to introduce some friends of mine and relatives of one of our wonderful pages here today: Paola Pianegonda, Tullion Pianegonda and Mary Lachapelle. Glad to see you here.

Mrs. Linda Jeffrey: I'd like to introduce the family of David Hemphrey, one of our pages, here today: his mother, Claire Peters, and his brother, Will Hemphrey. Welcome.

Mr. Reza Moridi: I would like to welcome my friends from my riding of Richmond Hill: Mr. Rupi Jeji and Mr. Carmine Perrelli.

Hon. George Smitherman: I hope members of the House will join with me in welcoming guests of page Mauricie Summers. We want to welcome her mom, Anita Whyte and her brother, Everett Summers. Welcome to the Legislature.

Mrs. Carol Mitchell: It's my pleasure to introduce Amy Cronin; she is the mother of Alyssa Cronin.

I would be remiss if I didn't recognize my daughter Jasmine Mitchell who's in the House today as well.

Mr. Mario Sergio: Visiting our Legislative Assembly from England and Barbados is author Andre Thomas. I hope he's going to have a wonderful day and enjoy his stay in Toronto visiting us in the Leg here today.

Mr. Robert Bailey: It's my pleasure to introduce and welcome Charles Mooney in the opposition gallery today.

Hon. James J. Bradley: I would like to introduce to members of the Legislature Bob McKessock, who was a member from the Legislature from 1975 to 1987. He's in your gallery, Speaker, along with his wife, Mary; children Jeff, Steve, Lisa and Lorie and their respective spouses; grandchildren Mark, Luke and Dylan—13 of them altogether.

The Speaker (Hon. Steve Peters): Welcome back to Queen's Park.

On behalf of the member from Guelph and page Kaitlin Wagner, we'd like to welcome her mother, Johanna Wagner and her father, Glen Wagner to Queen's Park today.

I'd like to welcome Grant Hopcroft, director of inter-governmental and community liaison at the city of London, who is seated in the Speaker's gallery this morning. Welcome, Grant.

We have with us in the Speaker's gallery Toronto's new Consul General of Germany, Mrs. Sabine Sparwasser. Please join me in warmly welcoming our guest to the Legislature today. Madame Consul General.

I want to just take this opportunity to thank pages Beth Stulen and Helen Lee for the wonderful Converse shoe that graces my desk now—inside joke. Thank you.

LEGISLATIVE PAGES

The Speaker (Hon. Steve Peters): I would also ask all members to join me in saying thank you to this group of pages. Today is their last day of serving us in the Legislature. We wish you all the best in your future endeavours.

Applause.

ORAL QUESTIONS

PREMIER'S RECORD

Mr. Tim Hudak: A question to the Premier on what kind of leader he has become after six years in office. Premier, we saw, for five months, you stonewall all of our questions about the scandal at eHealth. Two weeks ago, you waited until a Friday afternoon to release a public account that revealed a record provincial deficit of \$18.5 billion. Yesterday, behind the storm of the Auditor General's report into your \$1-billion eHealth boondoggle, you tried to hide details of a growing scandal at Cancer Care Ontario. What kind of leader tries to hide one scandal in the shadow of another scandal?

Hon. Dalton McGuinty: Not that long ago, my honourable colleague was complaining that we weren't making information available and now he's complaining that we're making too much information available.

We will continue to do what we think serves the interests of the people of Ontario. We'll continue to work hard to be responsible, accountable and transparent and we will continue to provide information that serves the purposes not only of the opposition but, as I say, the people of Ontario.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: What the Premier seems to want to do is continue to do what's in the interests of the Liberal Party of Ontario and well-connected Liberal friends. It's clear from your dump of some 10,000 pages of records yesterday, including Cancer Care Ontario, that more sweetheart deals were handed out to the Premier's friends at the Liberal-friendly Courtyard Group. What isn't clear from the internal audit is just how much money was going to which friends in particular.

After all this dodging and delaying, after all this handing out of sweetheart deals to Liberal friends, at a time when people are waiting to get a loved one into a long-term-care home or get their kid to the doctor, this Premier is more concerned about untendered contracts and sweetheart deals to his Liberal friends. This is not the Dalton McGuinty he claims that he is. Why is this Premier more interested in protecting his own hide than helping—

The Speaker (Hon. Steve Peters): Thank you, Premier?

Hon. Dalton McGuinty: A couple of things on this score: Number one, we are determined to create even more transparency. That's why we've committed to making Cancer Care Ontario the subject of freedom-of-information legislation.

They went the other way. They took OPG and Hydro One out from under FOI. We brought it back in.

Secondly, again, objectively speaking, there has been some real progress made in Ontario when it comes to wait times for cancer treatments. Whether you're talking about surgeries, radiation or chemotherapy, we continue to make real progress on behalf of Ontario families.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Tim Hudak: Premier, you have had two scandals at the Lottery and Gaming Corp. You've had a scandal of expenses at the WSIB. You had a \$1-billion boondoggle at eHealth Ontario and now an emerging scandal at Cancer Care Ontario—a Premier beset, on all sides, with scandals that see money diverted to Liberal-friendly consultants. Yesterday, in response to this \$1-billion boondoggle, the Premier said, "We will do better. We must do better." Liberal-friendly firms are doing better while families are waiting to get their children in to see doctors in the province of Ontario.

Premier, quite frankly, spare me those crocodile tears. If you are truly sincere, here is your chance to do it. If you want to get to the bottom of the rot at Cancer Care Ontario, will you send in the Auditor General to do a report today?

Hon. Dalton McGuinty: A couple of things in response: My honourable colleague should know that the

reason that there was an audit that went ahead at Cancer Care Ontario is because the folks there asked for that audit. They asked for that and they made that information public. They've asked for the auditor to return again in the not-too-distant future to guarantee their continuing progress.

I also want to recall to the attention of my colleague the finding of the auditor yesterday when he said that, "[W]e were aware of the allegations that 'party politics' may have entered into the awarding of contracts and that those awarding the contracts may have obtained a personal benefit from the firms getting work, but we saw no evidence of this during our work." I think it's important to accept the report in its entirety.

1040

MINISTER'S RECORD

Mr. Tim Hudak: One of the conclusions of the Auditor General was that the Premier was directly responsible for what happened at eHealth Ontario because of his untendered contract with Sarah Kramer that got that ball rolling. The Auditor General's report indicated that favouritism was played in the handing out of untendered contracts that then benefited Liberal-friendly firms.

I want to talk a bit about favouritism as well. We know that 70% of spending on electronic health records happened in fact under Minister Smitherman's watch. I ask the Premier: What percentage of untendered contracts that forced David Caplan to resign actually occurred when George Smitherman was the minister responsible?

Hon. Dalton McGuinty: This takes us into the area of gamesmanship on the part of the opposition. We're going to try to stay focused on what we think Ontarians want us to do. They want us to own up to the fact that there have been some real challenges over eHealth. They want us to own up to the fact that in part those challenges arose because we put in place insufficient oversight. I acknowledge that, and I accept that. They also want us to take steps to ensure that this does not happen again. We're doing all that. By way of a specific admission of responsibility, the Minister of Health tendered his resignation; I accepted that.

Now we're into political gamesmanship. The opposition wants to do more than that, not because it serves the greater public interest, but because it serves their short-term political interests. I won't play those games.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: Do you want to talk about games, Mr. Premier? You should have forced that minister to resign five months ago, when the facts came forward about Liberal-friendly firms benefiting from these contracts. Instead we saw a Premier that stonewalled, and only when you were backed into a corner by the Auditor General's report did you finally act—a Premier more concerned about protecting his own hide than delivering quality health care services to taxpayers in the province of Ontario.

The auditor speaks to details about bid-rigging, price-fixing and favouritism in handing out sole-source and

untendered contracts at inflated cost to taxpayers. One of the regular winners in this bonanza was Minister Smitherman's former chief of staff Karli Farrow and the Liberal-friendly Courtyard Group.

Why is the Premier protecting the minister most responsible for this \$1 billion boondoggle?

Hon. Dalton McGuinty: The honourable leader of the official opposition keeps making my case for me. This is a matter of gamesmanship for him and for his party. He said that we should have the auditor go in; we did that. We waited for the auditor to come out with his report because we thought that was both courteous and the appropriate thing to do. The auditor has made some very specific findings, one of those being that there was no political connection with—

Interjections.

The Speaker (Hon. Steve Peters): Order. The member from Renfrew. Premier?

Hon. Dalton McGuinty: Notwithstanding the auditor's specific finding that he saw no evidence of party politics, my honourable colleague is not prepared to accept that. He wants to continue to maintain the fiction and to play the game. We won't be involved in that. We will not be party to that. We will continue to do what we think is in the interests of the people of Ontario.

The Speaker (Hon. Steve Peters): Final supplement.

Mr. Tim Hudak: What the auditor's report clearly shows is that it was Minister Smitherman who created the culture of entitlement at the Ministry of Health and that David Caplan did nothing to try to fix it. On Minister Smitherman's watch, Cancer Care Ontario handed out to his former chief of staff contracts worth \$18.7 million. Over the past five years, Liberal-friendly Courtyard received—

Interjection.

The Speaker (Hon. Steve Peters): The Minister of Energy will withdraw the comment he just made.

Hon. George Smitherman: I withdraw.

The Speaker (Hon. Steve Peters): Thank you.

Mr. Tim Hudak: Over the past five years, Premier, Liberal-friendly Courtyard Group received \$39.5 million, most of which came from ministries you gave Minister Smitherman to manage. You said David Caplan took the fall because he was the one at the bat, but Minister Smitherman hit it out of the park when it came to untendered contracts.

Premier, when will you ask for that second resignation?

Hon. Dalton McGuinty: The fundamental difference here, I think you will have come to understand, is that I accept the auditor's report and I accept its findings; my honourable colleague does not.

What we will do is move ahead with every single one of the recommendations put forward by the auditor. Beyond that, we've already taken steps to ensure that the kinds of sole-source contracts which were permitted under the Conservative government and NDP government will no longer be permitted. We've also taken other

steps to increase accountability and transparency. I think that's what we're supposed to do, and those are the kinds of things that we'll continue doing

CANCER CARE ONTARIO

Ms. Andrea Horwath: My question is to the Premier. The health care scandal beat goes on in this province: 94% of out-of-pocket consultant expenses reimbursed without any proof; untendered consulting contracts; the value of consulting contracts tripling, from \$6 million to \$8 million; and no performance evaluation for 75% of consulting contracts. It's all in yesterday's auditor's report on the reckless waste of precious health care dollars. But I'm not talking about the Auditor General's report on eHealth; I'm talking about the audit of Cancer Care Ontario.

Why did the Cancer Care Ontario board call in the auditors, and what were they worried about?

Hon. Dalton McGuinty: I want to congratulate the leadership of Cancer Care Ontario for calling in the auditor and for producing all of the documentation necessary for the audit to be conducted in a thorough manner.

Ontarians will understand that Cancer Care Ontario has existed in one iteration or another for over 50 years and they have, ultimately, responsibility for our 14 regional cancer centres. They take responsibility for delivering important treatments, whether it's radiation, chemotherapy, surgeries and the like. They thought it was important to bring in the auditor to take a look at their practices. They discovered that there are some shortcomings. They've undertaken to address those, and furthermore, they're calling upon the auditor to return in the not-too-distant future to guarantee their continuing progress. I think they behaved in a responsible manner.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: This mysterious audit started in June. The Ministry of Finance staffers were there for most of the summer. FOI requests were made on the matter, and they were stonewalled right up until yesterday. Cancer Care Ontario is a provincial agency that receives 676 million public dollars. Ontarians have every right to know when and where their taxpayers' dollars are being squandered. Why didn't the Ministry of Finance alert the public of this audit?

Hon. Dalton McGuinty: Again, let me say what the head of Cancer Care Ontario has put out in a release yesterday. I want to quote; he says "As president and CEO" of Cancer Care "Ontario, I accept the findings and recommendations and I take full responsibility for the areas identified in the report requiring improvement.... We take the findings and the need to improve very seriously." He goes on to say, "Cancer Care Ontario management has already taken concrete steps to address the audit's recommendations to improve our processes and practices."

I think, clearly, the leadership at Cancer Care Ontario is to be commended for inviting the auditor to come in

and for adopting and accepting wholeheartedly his advice and recommendations.

The Speaker (Hon. Steve Peters): Final Supplementary.

Ms. Andrea Horwath: Ontarians deserve clarity and transparency on this matter. It's their money, and if it's being squandered, they have the right to know at the very earliest of opportunities. The Ministry of Health received the Cancer Care Ontario audit on October 5. It was released publicly yesterday, the same day that the Auditor General released his scathing report on eHealth and its debacle. Is that a mere coincidence? Or is it another example of the shell-shocked McGuinty government's ham-fisted attempt at damage control at yet another rogue agency?

Hon. Dalton McGuinty: I'm not sure how you put "ham-fisted" and the "full disclosure audit" in the same sentence.

It's a matter of being transparent, it's a matter of ensuring that Ontarians understand what's happening over at Cancer Care Ontario, and they need to understand that this came about because the leadership there invited the auditor to come in and take a look. They need to understand that the leadership there has now said, "We will accept every recommendation. Furthermore, we want you to come back in the not-too-distant future and tell us how we are doing." That's what they need to understand. They need to see the big picture.

CANCER CARE ONTARIO

Ms. Andrea Horwath: My next question is again to the Premier. People expect their government to know about and to stop the wasting of millions of precious health care dollars. But in the case of Cancer Care Ontario, it seems that the McGuinty government was again caught asleep at the switch, because it wasn't the health minister, of course, who called in the auditor, it was Cancer Care's board, and only after the scandalous waste at eHealth had already come to light. Shouldn't one of the former health ministers have known about the trouble at Cancer Care before the auditors were called in?

1050

Hon. Dalton McGuinty: I think what we ultimately try to do when it comes to these agencies is put in place the kind of leadership that will act in a responsible way all the time. With Cancer Care Ontario, clearly they have done that. They have invited the auditor in. They have welcomed his recommendations. They have said that they will move ahead on those—they've already made some considerable progress. As I've said, they want him to come back and make sure that they're on the right track. I think those are exactly the kinds of things that we look for in the management of our agencies.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: This government has been on autopilot for six years, and the Premier seems to live by the old proverb, "See no evil, hear no evil, speak no

evil." Well, it's high time that this Premier accepts responsibility.

The Premier even met with Ms. Kramer before she took the eHealth job. We know very well from the auditor's report that it was this Premier who directly foisted Sarah Kramer on eHealth—the same Sarah Kramer who left a trail of questionable decisions behind at Cancer Care Ontario. Will the Premier now admit that it was his meddling and it was his direct involvement that created this huge scandal at eHealth?

Hon. Dalton McGuinty: That is completely without foundation, and my honourable colleague knows that. What she is effectively saying is that, at my one and only meeting with Ms. Kramer, I directed her to break the rules. She knows that's not true, and I think she would want to reconsider making that kind of an allegation.

It is no secret either that I'm impatient when it comes to getting smart meters up in Ontario homes. I'm impatient when it comes to getting our coal-fired plants shut down. I'm impatient when it comes to getting our test scores up and our graduation rates up. I'm impatient when it comes to getting our court wait times down. But on each and every occasion, I expect everybody to follow the rules and to do what is in keeping with the legitimate expectations of the people of Ontario, and my colleague knows that.

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: What we've seen is a lot of talk but very little action from this Premier. The buck stops with the Premier of this province. He's either in charge or he is not. The Minister of Health, absolutely, is gone. A billion dollars that should have been spent on people's health has been flushed down the toilet in this province. Will the Premier now own up to his own failings or will he continue to make excuses?

Hon. Dalton McGuinty: I know it makes for a good sound bite to say that a billion's gone, but that's not true. Here are some of the things that they've done at eHealth so far: Since 2005, more than four million Ontarians are already participating in the electronic medical records program; more than one million children now have an electronic health record; and since 2008, 80,000 Ontarians are in a pilot project for ePrescribing, which will help save lives.

We have built a strong foundation. There is more work to be done—clearly that is the case. But what we will not do, as we have been invited to do by the opposition, is set aside that work; then it will be a complete waste. There's a good foundation, we'll continue to build on that, and we will put in place an electronic health record that will meet the needs of doctors and Ontario families.

MINISTER'S RECORD

Mr. John Yakabuski: My question is for the Deputy Premier and Minister of Energy. The Auditor General confirmed that in 2003, the Management Board called him in for a briefing about the Smart Systems for Health

Agency and how to manage sole-source and untendered contracts. That was six years ago. It took getting caught in a massive spending scandal before you and the Premier changed a thing. Was the briefing for you to learn about how to fix the problems or so that you could stay one step ahead in how you handed out untendered contracts?

The Speaker (Hon. Steve Peters): I'm going to give the honourable member an opportunity. I'm going to give him 10 seconds to rephrase that question. Stop the clock for a second, please. The question needs to refer to the member's current portfolio, and he knows that. I'm going to give him a few seconds to rephrase that question so that it relates to his current portfolio.

Mr. John Yakabuski: Because there are untendered contracts in the energy field, we're trying to set a pattern here, Mr. Speaker.

The Speaker (Hon. Steve Peters): Minister?

Hon. George Smitherman: I didn't hear a question. But I will say to the honourable member that as a member of the government, I take very seriously the responsibilities that ensue from being in such important positions. I've sought at every moment of my public service to bring everything that I had to it. As Minister of Health, I was vigorous in seeking to enhance access for patients in the province of Ontario.

In response to yesterday's report, as a minister, I have even greater responsibilities and duties to operate with greater foresight, to reach deeper, to ask harder questions of all of those people in my ministry who have important responsibilities and in all of those agencies that report to me that have important responsibilities.

I give you, Mr. Speaker, all members of this House and the people of the province of Ontario my assurance that I will do my utmost to fulfill these high obligations.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. John Yakabuski: Again for the Deputy Premier and Minister of Energy: You were the minister responsible for OLG during the worst days of the OLG scandal. You were the Minister of Health during the worst days of the eHealth scandal. Even after leaving the Ministry of Health, you still maintained an active involvement in the eHealth file. Now, as Minister of Energy, you have a role in the Windsor Energy Centre scandal. Will the minister of scandals tell us how he's going to top this?

The Speaker (Hon. Steve Peters): I would ask the honourable member to withdraw that comment, please.

Mr. John Yakabuski: Withdrawn.

The Speaker (Hon. Steve Peters): Minister.

Hon. George Smitherman: I do confess that for four and three quarter years I had the privilege of being the Minister of Health in the province of Ontario, and during that time, I know that I contributed to 900,000 people gaining access to family physicians and community care that they didn't have before. I know I was part of a government that dramatically expanded access to cancer drugs for people in the province of Ontario. I know that alongside my Premier, I participated in an expansion of regional cancer centres in places all across the province

of Ontario, from St. Catharines to Sault Ste. Marie. And I know that in the course of the time that I had the privilege of serving in that role, we advanced every single day on the most important and essential point: clinical access to services for patients, which is the fundamental obligation of—

Interjections.

The Speaker (Hon. Steve Peters): The member from—

Interjections.

The Speaker (Hon. Steve Peters): Minister of Transportation.

Mr. Ted Chudleigh: You make it so easy.

The Speaker (Hon. Steve Peters): And the member from Halton.

Interjection.

The Speaker (Hon. Steve Peters): And the member from Renfrew.

Interjection.

The Speaker (Hon. Steve Peters): And the Minister of Tourism. Enough.

Hon. James J. Bradley: Throw him out.

The Speaker (Hon. Steve Peters): No, I don't want to start throwing anybody out, but if we're going to persist with some of the language and the heckling that is going on, we're going to get to that point. But that is not my intent. I think these are important questions that are being answered. I want to hear the answers and the questions.

ELECTRONIC HEALTH INFORMATION

M^{me} France Gélinas: Ma question est pour le premier ministre. Yesterday, the Auditor General's report noted that Ontario is now the last province in Canada when it comes to building an electronic health records system. We are last. Thanks to his report, we can see how your government has allowed a billion dollars to be spent, and yet we're still very far away from an electronic health records system. The Premier has agreed that it was because of his government's mismanagement and lack of oversight.

My question is as follows: Does the Premier understand what is at stake here, or will he allow more years to pass without ensuring that Ontarians have the electronic health system they need?

Hon. Dalton McGuinty: I appreciate the question. I think we clearly have more work to do to restore Ontarians' confidence in their electronic health records system.

But I would draw my colleague's attention to a couple of comments offered by the auditor. For one thing, he says, "The value of this investment, at least to date, has not been realized." He then goes on to say on page 19, "One aspect of the strategic plan that we particularly welcomed was the robust and detailed description of activities to be conducted from 2009 through 2012. To its credit, the plan sets out a number of concrete targets and deliverables on each of the key EHR components. It thus

represents a major step forward in crystallizing the government's eHealth priorities and plans."

1100

We have, in large measure, been successful in laying the foundation. It's now important that we put in place the superstructure so that we have, in fact, a fully operational electronic health record system. We're much of the way there. There's more work to be done, and we will keep going.

The Speaker (Hon. Steve Peters): Supplementary?

M^{me} France Gélinas: Six years later, \$1 billion later, and a foundation is not enough. We don't have electronic health records, but we know they reduce prescription errors by 84% and they reduce inappropriate drug combinations. If we had one, we would save \$350 million in useless drugs alone, and for every 1,000 admissions, 75 people wouldn't suffer adverse drug events. If we had an electronic health record, we would decrease duplication of tests, increase coordination of care, reduce wait times and shorten patient wait-lists. We don't have one, so 15% of our lab tests are done unnecessarily, and a full third of emergency room visits take 1.2 hours longer because we don't have electronic health records.

Electronic health records are life-saving tools. Does the Premier realize what the slowdown in electronic health records has done to patients' health, to Ontarians' health?

Hon. Dalton McGuinty: My honourable colleague makes an excellent case for us to continue to move forward. But I do want to draw her attention again to some of the successes that we have enjoyed. She made reference to some of the prescription errors and costs and pain associated with those kinds of things. That's why we have in place now, involving 80,000 Ontarians, a pilot project for ePrescribing, which will help save lives—not only money but, more importantly, lives. Since 2005, we've had more than four million Ontarians already participating in electronic medical records, and more than one million children have an electronic health record now. Again, that's the foundation. There is more to do, and I fully agree with my colleague's enthusiasm and support for our continuing progress.

TAXATION

Ms. Helena Jaczek: My question is to the Minister of Revenue. Minister, people in my community and around the province have been hearing from the opposition that the HST is going to be applied to recreational fees. In my riding of Oak Ridges–Markham, people understand the value of sports and physical activity to promote their health and that of their children. However, in these tough economic times, many people are finding it difficult to pay even the basic fee for these valuable programs.

Will you clarify: Will the HST be charged on recreational programs such as hockey and soccer?

Hon. John Wilkinson: I want to thank my friend for the question and give a response as Minister of Revenue and as a hockey dad. What I can share with the members

of the House is that children's recreational memberships, such as hockey and soccer fees, which are offered by non-profit organizations and municipalities, will generally be exempt from the HST because they're exempt from the GST. Hockey rinks, for example, will be able to claim input tax credits for many of their costs. These items include heaters, Zambonis, refrigerants, scoreboards, equipment and energy.

We recognize that for some our sales tax reform will result in some higher prices. That's why, as part of our comprehensive package, we're dramatically reducing income taxes. I want to share with the member that, because of that reform, some 93% of Ontarians will be receiving a permanent cut in their income taxes.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Helena Jaczek: Certainly the opposition likes to portray the HST as having a negative effect on people when they talk of increasing hockey fees. However, Minister, I've heard you say that the HST is about creating jobs and improving the economy so that, at the end of the day, more kids can play hockey and other sports. Business also says the HST is going to make Ontario more competitive and create jobs. I know our government has supporters from the business community, including the Ontario Chamber of Commerce and the Toronto Dominion Bank.

But how about low-income earners faced with these increased fees and prices? Are there any benefits for them in the short term? In summary, Minister, how will the HST help create jobs and help low-income earners?

Hon. John Wilkinson: I say to people, "You're not able to play hockey if your mom and dad don't have a job." It's just that simple. What our tax reform is about—the biggest tax reform in some 40 years—is to get people back to work. That's in everybody's best interest, to get high unemployment down. That's why we're reforming our system.

But we do understand that it is so important for people of low income that we have taken particular concern to enhance the tax credits that people will receive. I can share with the House that that new tax credit of some \$260 is for every adult and child in a family. We've taken special care—\$260 is the 8% tax on over \$3,000 worth of purchases. We've taken great care to ensure that we're able to do this in a fair way. But the most important thing for a hockey kid is that their mom and dad have a job.

AUDITOR GENERAL'S REPORT

Mr. Norman W. Sterling: My question is to the Premier. The Auditor General, in his report on the spending at eHealth, says, "Normally we receive the full co-operation of" the ministry. "Unfortunately, this was not the case for this audit." He goes on to say that he first wrote the deputy minister in the summer of 2008 and was not granted access until he phoned the deputy minister himself sometime in February 2009—six months later.

What actions, Premier, have you taken against those responsible for this stonewalling?

Hon. Dalton McGuinty: My honourable colleague raises a very important issue that was first brought to my attention when I saw the auditor's report. I think the auditor noted that this is an exception. Certainly the attitude that we have as ministers—and one that we demand that the bureaucracy adopt—is that if the auditor is coming in, we welcome the presence of himself and his team to get their work done. So the first thing I want to make clear is that that attitude demonstrated by some within the ministry is completely unacceptable, and I undertake to speak to the secretary of cabinet to ensure that this kind of thing does not happen again.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Norman W. Sterling: The Auditor General gained easy access and co-operation from both the eHealth agency and from the people involved with the former Smart Systems for Health Agency, but he did not get the co-operation and access from your Ministry of Health.

When the auditor did gain access six months after he asked for it, invoices were missing. Given that there was a six-month period between when he asked and when he was let in, will you ask the Attorney General to undertake a forensic audit into all contracts and payments made by either the Ministry of Health—your Ministry of Health—or the eHealth agency?

Hon. Dalton McGuinty: I understand where my colleague is coming from on this, but no, I decline his request. If there is a legitimate concern, I would have expected the auditor to raise that and to have made specific reference to it and to have made specific demands of us, with which we would have readily complied. He did not do that, and I think that ends the matter.

But my colleague does make an important point, which I would invite those in the bureaucracy to pay close attention to. Our responsibility is to co-operate fully with the auditor. He works in the greater public interest. That's our job. We're doing that in government—the elected arm of the government—but the bureaucracy has a corresponding responsibility to co-operate as well.

LOW-INCOME ONTARIANS

Mr. Michael Prue: My question is to the Minister of Community and Social Services. Can the minister live on \$572 a month?

Hon. Madeleine Meilleur: I think that's a very important question. That's why this government, since we have been in power, has increased social assistance. This November and December, it will be 11% in total. We have done a lot to improve the quality of life of people.

Moreover, we have the Ontario child benefit that we're supposed to get up to \$1,100 or \$1,200—

Interjection.

Hon. Madeleine Meilleur: —\$1,100 by 2013, and we have advanced this investment this year so they are receiving \$1,100.

Is there more to do? Yes, there is, and this government, as long as there are people in poverty, will con-

tinue to invest to make sure that we improve their quality of life.

1110

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Michael Prue: The minister didn't answer the question because, of course, she knows she can't live on \$572 a month. She's never even in her life had to try to do it. The fact is, she can't live on \$572 a month, but she expects 137,000 Ontarians to do exactly that. This \$572 a month is 40% less than a single person received in 1994 and half of what The Stop Community Food Centre's new survey says a single person needs to survive. Toronto's medical officer of health says inadequate social assistance rates are making people sick.

On the eve of Thanksgiving, will this minister stop punishing social assistance recipients with poverty and sickness and increase ODSP rates by \$100 a month so that they can eat properly?

Hon. Madeleine Meilleur: I appreciate the comments presented by my friend on the other side, but this government is very proud of what we have done, not only on the poverty side but also on what has a great impact on those in poverty.

For instance, the Minister of Housing has increased support for housing. We're creating more, because we know that the number-one problem that people in poverty have is to find affordable housing, so my colleague has invested \$1.2 billion to help build affordable housing. My colleague in the education sector has improved the school breakfast program and all types of supports within the school system which will help those in need. As I said, we need to do more for those in need, and that's what this government—

The Speaker (Hon. Steve Peters): Thank you. New question.

FAIR ACCESS TO PROFESSIONS

Mr. Jean-Marc Lalonde: My question is for the Minister of Citizenship and Immigration. I had the opportunity to attend Dr. Jean Augustine's presentation to the members of the Legislature and their staff on the progress her office is making in regard to breaking barriers and supporting newcomers to get their qualifications recognized. Her office published a study of each profession, guidelines for regulatory bodies and a study on the agencies that assess each newcomer's qualifications.

We live in a province where diversity and equality are not only embraced through our values, they are enshrined in our laws, such as the Fair Access to Regulated Professions Act passed in 2005. Could the minister inform the House of the achievements we have made so far and about the steps we need to take to ensure that fair access—

The Speaker (Hon. Steve Peters): Thank you. Minister?

Hon. Michael Chan: I want to thank the honourable member from Glengarry–Prescott–Russell for his question. More than 100,000 individuals make Ontario their

home every year. Many of these individuals travel long distances and face many hardships to make Ontario home. Once in Ontario, many newcomers face challenges such as finding a job in their field. This is why we are working hard with the Fairness Commissioner, Dr. Jean Augustine, to eliminate the systemic barriers that newcomers face. As well, we are investing in bridge training, language training, credential assessment and settlement services. We are committed to helping newcomers, and we are committed to the continued success of our program.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Jean-Marc Lalonde: The minister has outlined the success made so far, and all members can appreciate that we serve a province as diverse as ours. I have heard stories of those who immigrated to Ontario to realize that their years of education, work experience and qualifications were not recognized as they should be.

We have the right legislation in place, and we have initiated systemic change, but investing in our skilled workers should also be a priority. We must ensure that there are clear results by this government. Minister, how much are we investing and how are we measuring the success of these investments?

Hon. Michael Chan: Individuals are getting jobs and there are tremendous results: 70% of graduates from our bridge training program, aimed at employment, are successful in getting jobs.

I've taken the opportunity to attend some graduation ceremonies for the bridge training programs. Some graduates approach me and say, "It is because of the bridge training program that I have found employment in my field."

Successful graduates are the result of more than \$120 million in over 180 bridge training programs, helping 30,000 individuals to get a job in their related field of study.

Is there more to be done? Yes. But I'm proud to say that this government is on the right track.

MINISTER'S RECORD

Mr. John Yakabuski: My question is for the Deputy Premier and the Minister of Infrastructure. Minister, you've been quick to let David Caplan carry your dirty laundry for the billion-dollar scandal at eHealth, but it is clear you still had a hand on the eHealth file after you moved to your new portfolio.

Through a freedom-of-information request, the Ontario PC caucus obtained minutes for a January 28, 2009, meeting of the eHealth board of directors at the posh Royal Canadian Yacht Club. Guess what we learned from these minutes? Your new ministry was directing eHealth's creation of a new diabetes registry.

Why have you been hiding the fact that you maintained a managerial role in eHealth even after you changed portfolios?

Hon. George Smitherman: Well, I know that fishing is a very popular pursuit in the honourable member's

riding, and it's nice to see that he has brought his skills here to the Legislature.

A couple of things that I think might be helpful in discussion: First is that, on the day—

Mr. Howard Hampton: I think he's found a whale.

Hon. George Smitherman: Oh, that was a very nice—Howard, I've been working to try and slim down.

Interjections.

Hon. George Smitherman: Oh, thanks. Those are in order, right? Yeah.

Well, first and foremost, when I had the privilege of leaving the Ministry of Health and enjoying the privilege of going on to another ministry, eHealth Ontario had exactly no employees when I left the Ministry of Health. I had spent a lot of time trying to clean up Smart Systems for Health and to reduce the number of consultants that were there.

By way of supplementary, I'll be happy to speak to the role that Infrastructure Ontario is playing in procurements related to eHealth—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. John Yakabuski: I thank the former leader of the third party for stealing my next proposed line about, "We've landed one big one and we're going after another one."

On page 34 of the auditor's report—

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock. I understand this is a very intense place that we work in, and sometimes heated things are said within this chamber. But I would just remind all the honourable members of the importance of using proper parliamentary language and not using language that, in any way, directly or indirectly, is derogatory towards another member. I think we all need to continue, to the best of our ability, to treat everybody with respect.

The member from Renfrew.

Mr. John Yakabuski: Thank you very much, Mr. Speaker. I will scale down my rhetoric.

On page 34 of the auditor's report, he criticizes the lack of progress on eHealth records on your watch. The auditor goes further to reveal that "the agency has decided to involve Infrastructure Ontario in the procurement process...." He adds that the plan isn't working.

The diabetes registry has missed its delivery targets, is having its expected functions diminished and is losing the confidence of family doctors. Why is your infrastructure agency wrecking this important health file?

1120

Hon. George Smitherman: Well, first off, I do want to say to the honourable member on that other point that he was raising that since the beginning of August, I have taken more seriously my diet, and I am down two shirt sizes—

The Speaker (Hon. Steve Peters): Stop the clock.

Interjection.

The Speaker (Hon. Steve Peters): No, just please let's stick to the issue. I'm going to start the clock and

I'm just going to continue to let the clock run if we're going to continue with this. And I would say to all sides that any references to personal appearance or whatever are not acceptable on all sides, whether it is in a question or whether it is in an answer. Minister of Energy and Infrastructure.

Hon. George Smitherman: I didn't consider a reference to my own self as petty. I was acknowledging that I'm a work in progress. My husband works for a chocolate company. It has its challenges; I have to admit it.

I think that on the matter at hand, in the circumstances where big pieces of infrastructure are required to be constructed, this government, through its agency Infrastructure Ontario, has gotten more of that done than any government in the history of the province of Ontario. It was decided therefore that it might be appropriate that Infrastructure Ontario, with its expertise at procurement and involvement in these kinds of situations and the construction of big pieces of infrastructure, could play a role. I believe they're playing a constructive role, and we're all very motivated to deliver the electronic health record that everybody wants and needs in the province of Ontario because we've invested so heavily in building the foundation of it that makes it possible.

PATIENT TRANSFERS

Ms. Andrea Horwath: My question is to the Premier. Emergency department physicians at Sault area hospitals have taken the extraordinary step of alerting the media to a very serious situation there. The doctors are demanding that the Ministry of Health provide timely evacuation of critically ill patients to specialty centres when local expertise is not available. They are very concerned that long delays to get air ambulances to transfer critical patients are happening. Yesterday, the auditor pointed out \$1 billion in wasted eHealth money. My question: Are critically injured patients in Sault Ste. Marie paying for the \$1-billion boondoggle?

Hon. Dalton McGuinty: To the Minister of Health.
Applause.

Hon. Deborah Matthews: Thank you, and thank you to the member for her question. I do confess that this is not an issue that I have yet been briefed on. I think I am in hour 26 of my job. But I can assure you that I will look into this and get back to the member as soon as I can, when I have information that relates to this issue.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Perhaps I'll take a moment to enlighten the minister. In Sault Ste. Marie, the nearest centre for specialty care is across the border in Michigan. When it's necessary, emergency room physicians will refer patients to specialist hospitals in Michigan to save precious time because, in the case of critical injuries, minutes and seconds do matter. But when a patient needs to be transported over to the US for treatment, the Ministry of Health has refused to pay for the cost of that transportation. Why is the McGuinty government willing to pay \$1 billion for eHealth insiders with little to show

for it while abandoning critically-ill patients in Sault Ste. Marie?

Hon. Deborah Matthews: I think when it comes to delivering improved health care for the residents of Sault Ste. Marie, it's really important to acknowledge that we're building a brand new hospital for the people of Sault Ste. Marie. I think it's also important to take a moment to acknowledge the extraordinarily fine work of our health care professionals.

It's my job to make sure that every dollar we spend on health care goes to support people with better health care in this province. We're moving forward on that agenda. We're making great progress. There is more to be done, and as I said, I will look into this specific situation and get back to the member.

AFFORDABLE HOUSING

Mr. Reza Moridi: My question is to the Minister of Municipal Affairs and Housing. It is no secret that many Ontario families have had a hard time making ends meet over the last year due to the economic downturn. Whether they're trying to pay for warm clothes for the winter, nutritious meals or rent and hydro, household budgets have been stretched. I believe that it's our duty to ensure that no Ontarian has to struggle to give their family these necessities. Many people I speak to in this situation just need a little extra help to get back on their feet.

Minister, we have heard about your consultations to develop a long-term affordable housing strategy for Ontario, but what are you doing to help these people today? How is the minister making the fundamental needs of safe and secure shelter more accessible to Ontarians who need—

The Speaker (Hon. Steve Peters): Thank you. Minister?

Hon. Jim Watson: The member is correct; we are conducting the long-term affordable housing strategy consultations, but we're not waiting for the results of those consultations. We are investing a significant amount of money today in communities like Richmond Hill: for instance, in York region alone, \$2.6 million in funding for social housing repair. On top of that, York region will benefit from another \$14.4 million over the next two years from our social housing repair and retrofit program. In fact, an example: I know the honourable member knows well that the Richmond Hill co-op on Bayview Avenue will see 59 units renovated under this particular program.

These investments are important to individuals to ensure that they live in a clean, safe and affordable home. We're committed to making sure the money flows as quickly as possible, because this is a joint federal-provincial program. We want all that money to be invested in Ontario and stay here, repairing and building new homes.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Reza Moridi: I'm sure the minister saw first-hand during his province-wide long-term affordable

housing strategy consultation sessions that these struggles are not limited to geographic areas or urban and rural boundaries. People across the province have voiced their concerns and suggestions about affordable housing. I'm happy to hear that the citizens of York region and of my riding of Richmond Hill have access to housing assistance. However, I know that I'm not the only member of this House advocating for affordable housing in their region. What other help is the ministry offering to social housing providers, their tenants and other Ontarians looking to secure decent housing in the province?

Hon. Jim Watson: There are a number of initiatives that we're undertaking. One is, of course, the \$622 million that the McGuinty government has committed in its recent budget, that will be matched by the federal government's contribution to bring the total over the next two years to \$1.2 billion. This will create an opportunity for us to retrofit and renovate 50,000 housing units province-wide, as well as build 4,500 housing units—in the interim, creating 23,000 jobs.

We also have the very successful rent bank program. That is now a permanent program within the Ministry of Municipal Affairs and Housing. Since 2004, 981 families in York region have been able to stay in their homes and stave off eviction. York region has received \$1.37 million for this project. It's a very sensible, thoughtful program that works well to ensure those individuals and their families are not upset with the turmoil of eviction. We're proud that it's now a permanent program of the McGuinty government.

HOG INDUSTRY

Mr. Ernie Hardeman: My question is to the Minister of Agriculture. Minister, hog farmers in Ontario have been hit with one thing after another: rising costs, low market prices, flawed programs from the McGuinty government, and now the H1N1. All they get from the minister is to be told, "Be quiet and wait for a long-term solution." The federal government has announced a program to help these farmers, but still no sound from the provincial minister. Minister, why haven't you stepped up to the plate with at least your 40% of the federal program?

Hon. Leona Dombrowsky: I appreciate the opportunity to share with the members of the Legislature—and to reiterate for the members of the hog community—that this government has been working with our provincial colleagues in understanding what the best way is to support the industry. In July, when we were in Niagara-on-the-Lake, the provincial ministers recognized this as a national issue—and it does require a national response. The Canadian Pork Council put their requests to the federal government, and on August 15 the federal minister of agriculture did respond.

All of the provinces in Canada are pleased that the federal government has recognized why it is so important that we have a national response to this issue that provides hog producers with options in terms of what they can—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

1130

Mr. Ernie Hardeman: I want to thank the minister for being so complimentary about the federal Conservative government at least stepping forward to help our farmers. But, Minister, hog farmers in Ontario are losing their farms today. They came to Niagara-on-the-Lake this summer to tell you, but you wouldn't talk to them. We now find out that while were you in Niagara, you could afford to drink \$3,300 worth of wine, hire a band to play music for \$3,500 and even find \$110 to buy mosquito repellent. This is all on the taxpayer's dime, and you couldn't find a nickel for our hog farmers. You couldn't even find any time to talk to them. Minister, do you think that's appropriate that you wouldn't even talk to them?

Hon. Leona Dombrowsky: This summer in July, the province of Ontario hosted the provincial ministers' conference. This was the first time we had hosted the conference in 10 years. What I can say to the honourable member is that we did our very best, given the economic times in which we are, to reduce expenses. We have had the very generous support of our stakeholders.

At the end of this event, what I can say is that the cost of hosting this event—we did it for less money than was spent 10 years ago when the member's party had the privilege of hosting it. We did it for less money. So we have been trying to be responsible with the dollars, and we certainly—

The Speaker (Hon. Steve Peters): Thank you. New question.

DRIVER EXAMINATION CENTRES

Mr. Peter Tabuns: My question is for the Minister of Transportation. On August 21, workers at DriveTest Serco went on strike over matters directly related to road safety in this province. Since Serco acquired the right to provide driver examination services from the MTO in September 2003, there has been a significant reduction in the quality of driving examinations, threatening road safety in this province. Will this government immediately commit to reviewing the delegation agreement between MTO and DriveTest to ensure that public safety is not compromised in this province?

Hon. James J. Bradley: I would say to the member: First of all, that is done on an ongoing basis. He would recognize that there is a strike on at the present time, and there are two sides who, I understand, are back at the negotiating table, trying to resolve their differences.

He will know that the previous Conservative government in the year 2003 signed a 10-year contract with Serco to deliver these services. It is our hope, and I know the Minister of Labour is being helpful in this regard, that with mediation efforts, once again, the two sides can be brought together and resolve what are some difficult differences that they've had. Ultimately, of course, we want to ensure that the people of Ontario are best served by the services that are provided. I'm looking forward

with anticipation to the two sides engaging in meaningful negotiations and coming up with a collective agreement.

Mr. Peter Tabuns: I appreciate the concern of the Minister of Transportation, but if in fact you've been reviewing that agreement, then the reduction in the quality of testing for school bus drivers is something that must have been brought to your attention. Are you in fact reviewing that agreement, and will you take steps to bring driver testing back into the public sector?

Hon. James J. Bradley: You're with a party that is always interested in collective agreements being reached and in collective bargaining, and I think you know that in the midst of collective bargaining, to introduce situations such as this does not militate in favour of a resolution of it. For instance, if the company were to bring in replacement workers, I think you would be justifiably concerned about that. If there's any interference that takes place during the negotiations, unfortunately what that does is, it means that an agreement isn't reached.

I know that your party has been interested in collective agreements over the years, even though you tore up every public sector collective agreement back when you were in power with the social contract. I know that basically you understand the importance of collective agreements, and I don't want—

The Speaker (Hon. Steve Peters): Thank you, Minister. New question.

PUBLIC TRANSIT

Mrs. Laura Albanese: My question is for the Minister of the Environment. As you are aware, the Minister of the Environment has approved the environmental projects report for the Georgetown South service expansion and the Union-Pearson air-rail link submitted by Metrolinx and has attached 80 strict conditions to his approval. One of the conditions is that the trains that travel to, from and through Georgetown along the Georgetown South corridor shall be tier-4 compliant when the service begins in 2015 or as soon as the tier-4-compliant technology becomes commercially available.

Some of my constituents still worry about diesel-powered trains. Can the minister describe how tier-4 compliance reduces harmful emissions to minimal levels?

Hon. John Gerretsen: First of all, I want to say that the advocacy of this member on behalf of her community has just been outstanding on this and many other issues as well. She is quite correct that we have implemented 18 tough conditions with respect to the approval process. Tier-4 engine technology has been designated by the EPA in the USA—standards that we have adopted here in Canada—to be available by the year 2015, when we expect these engines to be available here in Canada as well.

They expect to be in production at that point in time, and we expect that those diesel engines will be utilized here. What it will mean is that the emissions, over current engines, will be approximately 90% less with respect to particulate matter and 80% less with respect to nitrogen

oxides. That is good for the environment. It's good to get people out of their cars, off the roads and into transit. Everybody benefits, including the people of York South-Weston.

VISITORS

The Speaker (Hon. Steve Peters): The time for question period has ended.

I just want to take this opportunity to welcome a couple of our colleagues from the federal House: Claude Gravelle, the MP from Nickel Belt; and Glenn Thibeault, the MP from Sudbury. I hope you enjoyed our question period today. Welcome, gentlemen.

I just want to take this opportunity to wish all members a happy Thanksgiving. Make sure that when you're out buying your turkey and food, buy local, buy Ontario, buy Canadian. Please do it.

This House stands recessed until 1 p.m. this afternoon.
The House recessed from 1137 to 1300.

INTRODUCTION OF VISITORS

M^{me} France Gélinas: There are a few guests with me today. They're in the gallery; some of them are upstairs. I'll start in alphabetical order:

Mark Bradley; Bill Belowos; Jim Rollo; Dan Neilsen; Shawn Smith; Joe Guido; Chris True; Ray Hammond; Bernie Arsenault; Mike O'Brian; Ned McDonald; Cam Duncan; Derek Craig; Todd Guthrie; Brent Laaskonen; J.P. Mrochek; Alex Patterson; Denis Therrieau; Lyle Young; John Laundry; Ryan Chabot; Guy Lamarche; Jim Levac; Norm Black; Mark Desjardins; Denis Barbeau; Jamie West; Carol Mulligan; Charlie Sullivan; Eric McNeil; Steve Saari; Pascal Boucher; Gord Courville; Guy Shank; John Vandenhouvel; Kevin Morley; Denis Robichaud; Eric Delparte; Nick Laroche; Jacek Zantarski; Eric Gagne; Brian Hailey; Tim Smith; Jerzy Sredniawski; Rob Morano; Mike Prevost; Claude Laliberte; Bob Boileau; Kelly Kydd; and Al Michaud.

Welcome to Queen's Park. Those are people from my riding and from the Sudbury riding.

Interruption.

The Speaker (Hon. Steve Peters): I think the honourable member from Nickel Belt has just set the new record for the longest introduction. We congratulate her on that.

We welcome our guests. We just remind our guests that you are allowed to observe but not participate, as much as you may wish, in any of the debate. Enjoy your visit to Queen's Park today.

MEMBERS' STATEMENTS

FIRE PREVENTION WEEK

Mr. Garfield Dunlop: I'm pleased to say that this is Fire Prevention Week in the province of Ontario. Last

weekend I pointed out that we had a huge display of fire prevention equipment, and the fire prevention officers worked with the local police chiefs and the police associations to bring awareness to Fire Prevention Week at the Home Depot mall in Orillia. There's an opportunity for people to donate to the fundraising campaign for MS. They had depots all around the community for that. They're trying to make an overall impression on fire prevention.

Also, I attended the firefighters' memorial here at Queen's Park. Of course, that all ties into this week as well.

But one thing I wanted to point out is that the Ontario Association of Fire Chiefs pointed out very, very clearly that presumptive legislation is not extended to volunteer firefighters right now. Even in the speech at the memorial, he asked that the province of Ontario move forward with this. I know my colleague Mr. Arnott has introduced a private member's bill that was turned down by this House.

As we move forward and we want to protect our firefighters and have them take preventive measures in our communities, we must provide for them the same benefits that are applied to our professional firefighters across the province. We know that the professional firefighters agree with this and we ask the minister to move forward quickly with this presumptive legislation.

CHILD DEVELOPMENT RESOURCE CONNECTION PEEL

Mrs. Amrit Mangat: On June 24, I had the pleasure of attending the annual general meeting of Child Development Resource Connection Peel. The meeting was held at the CDRCP's new office, which I'm very proud to say is located in my riding of Mississauga-Brampton South.

CDRCP is a non-profit organization that connects community and practitioners with information, resources, training and services that promote quality family life. CDRCP connects families to child care information, respite services and Early Years programs, to name a few. They also recently launched a new community services database that will further bring together much-needed information for families.

One of the keys to CDRCP's success is the support of its countless volunteers who sit on its board, committees and task groups. I commend the CDRCP and its volunteers for helping families in Peel.

I look forward to seeing this organization continue to grow and continue to provide excellent service to families in Peel.

HIGHWAY CONSTRUCTION

Mr. Ted Arnott: Thirty years—that's how long the people of Puslinch township have been waiting. Thirty years ago, plans were initiated to bypass the two-lane section of Highway 6 south of the 401 around Morriston,

where traffic is literally backed up for more than a mile from time to time. For thousands of daily commuters, it's a critical part of Ontario's highway system, yet for the people of Morriston, it's also their main street. Waiting 30 years is "ridiculous," says Puslinch councillor Susan Fielding, who has been tireless in reminding government of this urgent priority.

A week ago today, I stood at the edge of the highway with Councillor Fielding and Mayor Brad Whitcombe of the township of Puslinch.

The community is saying to us, "We want this highway bypass built." They're asking, "What's taking this government so long?" They are asking, "When will it finally focus on this bottleneck in our backyard?"

On page 10 of the 2009 budget papers, we see it's possible. In the next fiscal year, this government plans to spend over \$2 billion on highway construction, up from \$1.7 billion this year. They plan to spend \$300 million more next year. These numbers leave no room for excuses.

Surely after 30 years, it's time to give us a firm date for construction. Surely it's time to fix Highway 6.

JEAN COCHRANE

Mr. Michael Prue: Each and every year, the people of the Beach nominate someone to be their Citizen of the Year. This year, on September 26 at Millennium Park, they inscribed the name of the new Beaches Citizen of the Year, and I'm proud to announce that citizen is Jean Cochrane. Jean is a shy, some would say unassuming, person. Some would even wonder whether she had the wherewithal to be this winner, but they don't know her very well, because she is a volunteer extraordinaire in our community.

She has volunteered and is part of Senior Link, Neighbourhood Link. She was a member of the Toronto Historical Board, fighting to save important structures in the Beach and in Kensington Market here in Toronto. She was a member of Heritage Toronto. She was part of Heritage Toronto's book awards short list in 2000 for her book on Kensington. She's a fundraiser for the Leuty lighthouse—which saved one of the great little architectural gems of the Beach—and also for Maple Cottage.

She's a volunteer with the Beaches Synagogue lunch program, Friends of Toronto Public Library, Beach Metro news, and the Balmy Beach Residents Association.

She is an extraordinary woman, and all of us in Beaches-East York are proud of the contributions she has made, and proud of the work that she and her husband, Glenn, have done in the Beaches over these many years.

BLACK CREEK PIONEER VILLAGE

Mr. Mario Sergio: Recently, Black Creek Pioneer Village opened its doors to the public for the celebration of the 200th anniversary of the Schmidt Dalziel Barn.

This barn carries great historical significance. It is Ontario's oldest and largest barn and one of the oldest in North America—I believe it is second.

This barn demonstrates the craftsmanship of the early German settlers without the use of modern machinery. Built in 1809, the Schmidt Dalziel barn is an architectural wonder, built entirely by the hands of Ontario's earliest settlers. It stood the test of time and functioned as part of a working farm for 154 remarkable years before it was turned into Canada's first architectural museum. I would like to acknowledge all the volunteers and staff who care for this Ontario landmark as they continue restoring it to its original glory.

1310

I encourage all Ontarians, particularly those who live in the Toronto area, to come and visit Black Creek Pioneer Village. There is nothing like it in Toronto, and it is an easy commute by transit and car. I assure you, when Torontonians visit the village they will be amazed by how much it has to offer: 40 heritage homes to explore, Thanksgiving dinner to share, and the brand new, one-of-a-kind Black Creek historic brewery. All visitors will be pleasantly surprised with what Toronto's own Black Creek Pioneer Village has to offer. Come, see, enjoy and explore Pioneer Village.

CHILDREN'S AID SOCIETIES

Mrs. Elizabeth Witmer: Throughout the province, the lives of vulnerable children are being put at risk because the McGuinty government has cut the budgets of children's aid societies while at the same time not allowing them to run a deficit. Locally, this means that the budget of my Family and Children's Services of the Waterloo Region has been cut while their operating costs have risen by 2%. This leaves them with a projected deficit of \$1.5 million.

Why are the costs rising? Peter Ringrose, executive director of Family and Children's Services of the Waterloo Region, states, "In the last three months, we have seen a significant increase in the children coming into our care." Mr. Ringrose points to family stress caused by the recession as the main culprit.

These agencies have a legislated mandate and responsibility to provide front-line care and protection to at-risk children, but the McGuinty government is not providing the support to allow the children's aid societies to do so. Today, I call upon the McGuinty government to provide support to these children. There are 550 children in the care of the Waterloo agency alone, and they receive 5,000 complaints a year about children being abandoned or abused. We cannot abandon these children. I applaud Mr. Ringrose and his staff for their difficult job and call on the Premier to help our vulnerable children.

FIRE PREVENTION WEEK

Mrs. Linda Jeffrey: I'd like to take this opportunity to acknowledge Fire Prevention Week in Ontario and the

men and women who serve as firefighters in our communities. This year's theme is "Stay Fire Smart—Don't Get Burned," which focuses on burn awareness and prevention as well as keeping homes safe from the leading causes of home fires.

Firefighters are a vital part in keeping our communities safe. Daily, these brave men and women put themselves directly into harm's way to protect our families and our communities from the ravages of fire.

Just this past Sunday, as was mentioned earlier, a ceremony was held just south of Queen's Park to unveil a new memorial in honour of those who have died in the line of duty as well as those who died from illnesses related to years of working around fire-related smoke and flames. This year saw the addition of 28 names to the new monument, which now lists 500 names of men and women who have lost their lives.

A successful Fire Prevention Week campaign can help change people's behaviours and save lives, which will benefit all of our communities. Please join me in thanking our firefighters for their commitment to life safety.

DIWALI

Mr. Khalil Ramal: Once again, South Asians the world over are preparing to celebrate with friends and loved ones the festival of Diwali, the festival of lights. It is an auspicious time that is observed by people of many backgrounds, including Sikhs, Hindus, Jains and also secular South Asians. For the Sikhs, we recall Bandi Chhor, the liberator of 52 princes held as political prisoners in Gwalior Fort.

Diwali is also a time of thanksgiving, something which Ontarians at this time of the year can appreciate. We celebrate a successful harvest season and the many blessings we enjoy as the residents of this great province of Ontario. We welcome our families and friends into homes decorated with lights to share our festive hospitality.

On this occasion of Diwali, I invite my colleagues to join in the spirit of the season by offering their constituents best wishes for peace, prosperity and joy. Happy Diwali.

INSURANCE INDUSTRY

Mr. Tony Ruprecht: I'd like to raise the issue of credit scoring by insurers and the negative impact it's having on our constituents. This is about protecting consumers from the unfair practice of jacking up rates or denying coverage entirely, based on criteria which have nothing to do with their risk as a customer.

Despite a ban on the use of credit scoring in auto insurance, credit scoring is still allowed to be used in other lines of property insurance, including home insurance. Some companies are threatening to increase premiums or, worse, cancel home insurance if consumers do not provide consent to access their credit reports. As the result of a property policy being cancelled, their auto

premiums automatically increase since they no longer qualify for a multi-policy discount. This practice discriminates against those who can't afford it—newcomers, the unemployed and small business owners who have taken significant personal loans to start or grow their business.

There is a solution. The only way to protect the interests of the public is to ban the use of credit scoring for all personal lines of property and casualty insurance, not just auto insurance. I'm delighted that work has been done in that line, and we can all be happy that the government, in fact, is now producing a new policy.

At this stage, I would like to introduce to the Legislature some very special guests who are working on this issue, Dr. Huseyin and Mr. Soyler, who are in the gallery here. Congratulations.

PRIVATE MEMBERS' PUBLIC BUSINESS

The Speaker (Hon. Steve Peters): I beg to inform the House that, pursuant to standing order 98(c), a change has been made to the order of precedence on the ballot list for private members' public business, such that Mr. Murdoch assumes ballot item 42 and Mr. O'Toole assumes ballot item 48.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GENERAL GOVERNMENT

Ms. Helena Jaczek: I beg leave to present a report from the Standing Committee on General Government and move its adoption.

The Clerk-at-the-Table (Ms. Lisa Freedman): Your committee begs to report the following bill, as amended:

Bill 173, An Act to amend the Mining Act / Loi modifiant la Loi sur les mines.

The Speaker (Hon. Steve Peters): Shall the report be received and adopted? Agreed?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it. Carried.

Report adopted.

The Speaker (Hon. Steve Peters): Pursuant to the order of the House dated October 6, 2009, the bill is therefore ordered for third reading.

STANDING COMMITTEE ON JUSTICE POLICY

Mr. Lorenzo Berardinetti: I beg leave to present a report from the Standing Committee on Justice Policy and move its adoption.

The Clerk-at-the-Table (Ms. Lisa Freedman): Your committee begs to report the following bill, as amended:

Bill 183, An Act to revise and modernize the law related to apprenticeship training and trades

qualifications and to establish the Ontario College of Trades / Loi visant à réviser et à moderniser le droit relatif à la formation en apprentissage et aux qualifications professionnelles et à créer l'Ordre des métiers de l'Ontario.

The Speaker (Hon. Steve Peters): Shall the report be received and adopted? Agreed? Agreed.

Report adopted.

The Speaker (Hon. Steve Peters): Pursuant to the order of the House dated October 7, 2009, the bill is therefore ordered for third reading.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Mr. Gilles Bisson: I believe we have unanimous consent to move the following motion: I seek unanimous consent to share the 12 minutes allocated to move the motion for second reading of Bill 86, An Act to amend the Labour Relations Act, 1995, between the member from Welland, Mr. Kormos, and the member for Nickel Belt, Madame Gélinas.

The Speaker (Hon. Steve Peters): Is there unanimous consent? Agreed.

You've all heard the motion. All those in favour will say "aye." Opposed? The motion is carried.

Motion agreed to.

Hon. Brad Duguid: I believe we have unanimous consent that up to five minutes be allotted to each party to speak about Good Governance Week.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

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GOOD GOVERNANCE WEEK

Hon. Harinder S. Takhar: This year marks the 200th anniversary of the first modern parliamentary Ombudsman, established in Sweden in 1809. To commemorate this occasion and to raise awareness of the contribution that provincial and territorial ombudsmen make to good governance, we wanted to acknowledge and speak to their declaration of October 12 to 16, 2009, as Good Governance Week.

The Ontario Ombudsman's office sent every MPP and constituency office an information package to advise them of Good Governance Week and to highlight the important role that MPPs play in referring complaints to the Ombudsman's office. Throughout this Good Governance Week, various provinces are hosting speakers, holding open houses and discussion groups, issuing new publications and even having a mini film festival to highlight issues of government oversight, human rights and fairness.

The idea of Good Governance Week is also an important time to look at what this government has done to increase transparency and accountability, and to truly

embody the spirit of the term “good government.” I would like to outline the steps we have taken since we have come to office in 2003 to renew Ontarians’ confidence in government to make the changes they expect and deserve.

Our government passed groundbreaking legislation banning partisan government advertising. We have also expanded the powers of the Auditor General. The Auditor General must approve our financial books before an election so that no government can hide a deficit.

In response to a recommendation from the Information and Privacy Commissioner, we established the position of Chief Information and Privacy Officer. This position will provide leadership for the protection of privacy of personal information used by the government, within a broader mandate of strengthening information management practices government-wide.

This government has also introduced legislation to extend the Freedom of Information and Personal Privacy Act to publicly assisted universities. Hydro One and OPG were also brought back under FOI legislation.

Our government introduced legislation that makes Ontario a world leader in transparency by making real-time disclosures of political donations law.

In July this year, our government introduced new consulting rules banning sole sourcing of consulting contracts. All new Ontario government consulting contracts must follow a competitive hiring process, regardless of dollar value. Consultants will no longer be entitled to bill for hospitality, food, expenses or incidental costs.

In September of this year, we announced that expenses for cabinet ministers, political staff, OPS senior management and senior executives of Ontario’s 22 largest agencies will be posted online beginning no later than April 1, 2010. We have also given the Integrity Commissioner the power to review the expenses of 22 of the largest agencies.

These measures we have taken since 2003 are the changes that Ontarians deserve and expect and have been lacking for too many years.

I also want to take this opportunity to thank the Office of the Ombudsman for their work in helping to promote awareness around the importance of oversight, accountability and the ways in which our government can keep improving, to better serve the needs of the people of this great province. The Ombudsman’s role is a very important role. As Premier McGuinty put it in a letter to the Ombudsman on October 22, 2008, “You play a vital role in making sure the provincial government, at all times and in every way, works in the best interest of Ontarians and delivers services of the highest quality.” This is what the Premier said.

I want to thank you for giving me this opportunity to speak on this issue.

Mr. John Yakabuski: It’s my pleasure to also speak to the motion. As the minister said, this is to mark the 200th anniversary of the first parliamentary Ombudsman, established in Sweden. You might recall, if you were around in 1975, our first Ombudsman was Arthur

Maloney, who had long been regarded as one of the best lawyers in this country. But what you might not know is that Arthur Maloney came from Eganville, Ontario, which is in my riding of Renfrew–Nipissing–Pembroke, and the Maloney family and my family knew each other well—not myself, personally, but in the days of my father. They were, in fact, good friends. Arthur Maloney was a wonderful Ombudsman to set the table from 1975 to 1979.

We all are aware of the work of the Ombudsman and how important it is. In the last Parliament, the Ombudsman was instrumental in intervening when the Ministry of Children and Youth Services at that time was denying responsibility for funding to the Phoenix Centre for Children and Families with respect to military families. The Ombudsman’s ruling in fact forced them to reverse their position. It’s an example of how the Ombudsman’s office can work to help people in the province of Ontario.

But I’m not losing the irony of the fact that the Ombudsman chose the week of a constituency break to declare good governance. He probably realized that, with the way things are going on in Ontario these days, that’s likely the only week that there was hope we’d get some good governance in the province of Ontario, because these folks won’t actually be here; the Premier won’t be here sitting.

The minister wanted to talk about examples of good governance. I’m going to ask him: Is it good governance when you close down service centres on the 401 corridor so that truckers have no place to safely stop their trucks and motorists have no place to safely take a break? Is it good governance when you close those down? Is it good governance when you shut down drivers’ licence bureaus here in the province of Ontario and take them out of the hands of private providers, who have been providing the best kind of service for 100 years in this province? Is that good governance? Is it good governance when you have millions of dollars in untendered contracts at eHealth that are beneficial to well-placed, known Liberal fundraisers and Liberal Party friends? Is that good governance? I ask you folks over there to reflect on this during the week of the break.

Is it good governance when you have bloated expenditures at the WSIB, where the chair has to pay back around \$15,000 that he had previously billed to the taxpayers of the province of Ontario, and the only reaction from the Minister of Labour is, “Ho-hum. Too bad, so sad”? Where were the walking papers there? Is that good governance? Is it good governance when the Premier’s DNA is all over his hand-picked CEO for eHealth, Sarah Kramer? Is it good governance when he makes the call and then wants to duck behind the ministers and duck behind PricewaterhouseCoopers, which they never actually even contracted? Is it good governance when they come before this House and tell us they’re signing a contract with PricewaterhouseCoopers and don’t do anything about it? Is that good governance?

When the Premier says, “The buck stops here,” the passing of the buck that has gone on in this government,

I'm reminded of that nursery rhyme. You know the nursery rhyme:

Georgie Porgie, quite a guy.

He said, "You take it, David," then waved good-bye.

He said to his boss, "I can't pay,

"I'd like to be the mayor someday."

That's how the buck has been passed around here at eHealth so that the minister who is really responsible, George Smitherman, is getting a free ride here and Minister Caplan was thrown under the bus. Seventy per cent of those contracts were under George Smitherman's watch. Where is the oversight of that? Why is he not being brought to task for that good governance, I say with tongue in cheek?

My colleague from Simcoe North talked about Fire Prevention Week. That's exactly what has been going on in this House this week: fire prevention on the part of the government. But every time they try to hide one scandal behind another, all they're doing is fanning the flames of their own misfortune, and they're making it worse. It's time for this government to come clean; it's time for this government to admit that it is wrong. As the Premier said, those who were at the bat should be made to pay.

I'm going to ask all members of this House, particularly those on the government side, to have a very, very happy Thanksgiving but reflect on what good governance really is when you take that break next week. When you come back a week later, let's get on with some good government here in the province of Ontario.

Mr. Gilles Bisson: It is ironic: Here we are, at the request of the Ombudsman, celebrating Good Governance Week, and I only wish we could have good governance in the province of Ontario. If we take a look at what has been happening over the last little while, we have quite the situation. We have \$1 billion of expenditures that have been basically misspent in the province of Ontario. Imagine, if you will, \$1 billion. I want you to think about, in your budget, what that would mean for you back home—\$1 billion. You couldn't spend it all in a lifetime if you tried, but these people managed to spend it in pretty short order by giving untendered contracts to all kinds of people without any real RFP process.

1330

The government says, "Oh, we're going to tighten up the process. We're going to fix this by putting in place systems, processes and policies to prevent that from happening." I want to remind people that those processes and policies were already there. Do you think that the government of Ontario, and the agencies that are funded by this province, don't already have policies that say, "You're supposed to have an RFP, a request for proposal, whenever you spend public dollars"? Of course there is. It's there. The problem is, people have been going around it.

So I find it really ironic that we're here today to talk about good governance, when what you've got is good policies in place that say, "Yes, there must be RFPs, there must be requests for proposals for any expenditures over a certain amount of money," and what you've got is

people within those particular agencies or the civil service or—who knows?—within the realm of the government itself, as far as the political part of it, going around the rules and saying, "Well, we can hide a deputy minister's salary at the Ministry of Health by showing some of the money in her expenditures at the ministry and in the estimates of the ministry, but we'll just go around this rule that already exists that says that we can't do that and we'll go hide it in a hospital budget somewhere in Hamilton." Or somebody says, "It's okay to tender a \$12-million contract to some firm, and we can give it to somebody we know that we feel very comfortable with, and where we say, 'We're pretty cozy. They showed up at my last fundraiser. They must be nice guys'"—and to give out that particular contract as a result of what is, in my view, some patronage. So for the government and the Premier to stand, as I've been seeing over the last week, and say, "We will put in place the processes to prevent this from ever happening in the future," I say to you that the processes are already there; the problem is, people have been going around them.

If we were serious about having good governance, we would be listening to what the Ombudsman has been asking us for, and that is to give him oversight over hospitals. Imagine if you had oversight over hospitals: You might have been able to detect some of the stuff that we're seen as of late a heck of a lot earlier.

When a person has a complaint—and we have them in our constituencies; there's not a member in this House, on either side of the aisle, who has not had a complaint from a constituent in regards to something that has happened in their hospital. Is it because the hospitals are bad? No. They're large organizations and at times things go amok, and you have to have the knowledge to know that somebody is able to take a look at what is going on when it comes to the governance of that hospital, the decisions as to what happens as far as patient care, so that we can take a look and learn from mistakes that have been made in the past. The Ombudsman has been asking us for many years to give the Ombudsman the ability to have oversight over hospitals, and the government has refused.

Not to speak of children's aid: How many of you get a call on a weekly basis in your constituency offices on children's aid issues? Now, it's not to say that the children's aid organizations are crooked; I don't argue that for a second. They work really hard. I'm not saying that they're maliciously going out and trying to do something wrong—that is not my point. But again, they're very large organizations that have large budgets, and they have to make decisions about children's and families' lives. Does the Ombudsman have the ability to go back and take a look at what is going on within those agencies when it comes to a specific complaint? No. They come to your office and mine and say, "MPP, can you please call and help me with this issue and try to resolve this issue with the children's aid?" I don't mind doing it and I know you don't mind doing it. That's why you were elected. But, God, we need to have some sort of oversight

so that people understand that whatever they do is done in a way that is clear and transparent, so that at the end, we know that we have some confidence in the system.

So I say again, it's very ironic that today we celebrate Good Governance Week, because if you take a look at what's happened over the last while, with whoever the Minister of Health was yesterday and whoever it might be tomorrow, we certainly know that good governance is something that we should get and that should happen. Even though the systems are there, this government decides to go around the rules that exist.

PETITIONS

PENSION PLANS

Mr. Jim Wilson: "To the Legislative Assembly of Ontario:

"Whereas several paramedics in Simcoe county had their pensions affected when paramedic services were transferred to the county of Simcoe, as their pensions were not transferred with them from HOOPP and OPTrust to OMERS, meaning they will receive significantly reduced pensions because their transfer did not recognize their years of continuous service; and

"Whereas when these paramedics started with their new employer, the county of Simcoe, their past pensionable years were not recognized because of existing pension legislation; and

"Whereas the government's own Expert Commission on Pensions has recommended that the government move swiftly to address this issue; and

"Whereas the government should recognize this issue as a technicality and not penalize hard-working paramedics;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Finance support Simcoe-Grey MPP Jim Wilson's resolution that calls upon the government to address this issue immediately and ensure that any legislation or regulation allows paramedics in Simcoe county who were affected by the divestment of paramedic services in the 1990s and beyond to transfer their pensions to OMERS from HOOPP or OPTrust."

I agree with this petition and I've signed it.

DIAGNOSTIC SERVICES

M^{me} France Gélinas: I have this petition from the good people of Sudbury: 200 names to be added to the 2,000 already presented. It's for PET scans in Sudbury.

"Whereas the Ontario government is making ... PET scanning, a publicly insured health service available to cancer and cardiac patients under conditions where PET scans have been proven to be clinically effective; and

"Whereas by October 2009, insured PET scans will be performed in Ottawa, London, Toronto, Hamilton and Thunder Bay; and

"Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine;

"We, the undersigned, petition the Legislative Assembly of Ontario to make PET scans available through the Sudbury Regional Hospital, thereby serving and providing equitable access to the citizens of northeastern Ontario."

I fully support this petition, will affix my name to it and send it to the table with Carlos.

FERTILITY TREATMENT

Mr. Tony Ruprecht: I have a petition for full funding of in vitro fertilization. It's addressed to the Parliament of Ontario and to the Minister of Health. It reads as follows:

"Whereas the prevalence and growing incidence of infertility in our population is a medical issue that demands the attention of our public health care system and should be placed on the agenda for funding;

"Whereas fertility treatment, including in vitro fertilization, is a proven medical solution that is unfairly limited to those with the financial means to pursue it and it should receive significant coverage through the Ontario health care system as soon as possible;

"Whereas in vitro fertilization should be fully funded when deemed medically necessary, without discrimination based on cause or gender; and

"Whereas it is long overdue that financial assistance for fertility treatment be offered to Ontarians. We are residents of the province of Ontario and request that the Ontario provincial government address this important issue.

"We, the undersigned, strongly support the inclusion of financial assistance by the Ontario Ministry of Health under the Ontario health care program for all fertility treatment for Ontarians, male and female."

Since I agree, I'm delighted to sign my signature to it.

TAXATION

Mr. John Yakubuski: I have a petition to the Legislative Assembly of Ontario.

"Whereas residents in Renfrew-Nipissing-Pembroke do not want the McGuinty Liberals' new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline, for their hydro, cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$400,000; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for meals under \$4,

haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I support this petition, I affix my name to it and send it down—which will probably be the last interaction I have—with page Nicole.

SERVICES DIAGNOSTIQUES

M. Gilles Bisson: « Attendu que l'Ontario fait de la tomographie par émission de positons (TEP), un service de santé assuré par le régime public pour les patients atteints du cancer et de maladies cardiaques, lorsque les données cliniques indiquent que cette technique est efficace dans leur cas; et

« Attendu que d'ici octobre 2009, des TEP assurées seront effectuées à Ottawa, à London, à Toronto, à Hamilton ainsi qu'à Thunder Bay; et

« Attendu que la ville du Grand Sudbury est une plaque tournante pour la santé dans le nord-est, qui compte l'Hôpital régional de Sudbury et son programme régional de cancer, de même que l'École de médecine du Nord de l'Ontario;

« Nous, soussignés, demandons à l'Assemblée législative de l'Ontario d'offrir de la TEP par le biais de l'Hôpital régional de Sudbury, donnant ainsi un accès équitable aux résidents du nord-est de l'Ontario. »

Je signe cette pétition.

1340

PROTECTION FOR MINERS

M^{me} France Gélinas: I have this petition from the people of Kapuskasing.

"Whereas current legislation contained in the Ontario health and safety act and regulations for mines and mining plants does not adequately protect the lives of miners, we request revisions to the act;

"Lyle Everett Defoe and the scoop tram he was operating fell 150 feet down an open stope (July 23, 2007). Lyle was 25 years and 15 days old when he was killed at Xstrata Kidd Creek mine site, Timmins.

"Section R-60 (page 60 of Mining Regulations)" ... states that, "A shaft, raise or other opening in an underground mine shall be securely fenced, covered or otherwise guarded'.... The stope where Lyle was killed was protected by a length of orange plastic snow fence and a rope with a warning sign. These barriers would not have been visible if the bucket of the scoop tram was raised. Lyle's body was recovered from behind the scoop tram.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Concrete berms must be mandatory to protect all open stopes and raises;

"All miners and contractors working underground must have working communication devices and personal locators;

"All equipment involved in injuries and fatalities must be recovered and examined unless such recovery would endanger the lives of others; and

"The entire act must be reviewed and amended to better protect underground workers."

I support this petition, will affix my name to it and send it with page Jacob.

TAXATION

Mr. Norm Miller: I have a petition to do with McGuinty's new sales tax. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the McGuinty government is planning to merge the 8% provincial sales tax and the 5% federal sales tax; and

"Whereas the new 13% sales tax will be applied to products and services not previously subject to provincial sales tax such as gasoline, home heating fuels, home renovations, haircuts, hamburgers, television service, Internet service, telephone and cell services, taxi fees, bus, train and airplane tickets, and dry cleaning services; and

"Whereas rural and northern Ontarians will be particularly hard hit by Mr. McGuinty's new sales tax, as will seniors and families;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government should remove the new sales tax from its 2009-10 budget."

I support this petition.

HOSPITAL SERVICES

Mr. Ted Chudleigh: I have over 10,000 names on this petition from the good people of Milton.

"To the Legislative Assembly of Ontario:

"Whereas the town of Milton is the fastest-growing community in Canada, with a population that is expected to surpass 100,000 by 2014; and

"Whereas the Milton District Hospital is designed to serve a population of 30,000" people; and

"Whereas young families, seniors and all residents of Milton are currently unable to access quick and reliable health care; and

"Whereas the excellent doctors and nurses at Milton District Hospital are constrained by unacceptable conditions and a lack of resources;

"We, the undersigned, petition the government of Ontario to immediately approve and initiate the process to expand Milton District Hospital and to provide adequate interim measures to prevent further suffering for the people of Milton."

I'm pleased to sign this petition and pass it to page Alyssa on her last day.

**PRIVATE MEMBERS'
PUBLIC BUSINESS**

**LABOUR RELATIONS
AMENDMENT ACT
(REPLACEMENT WORKERS), 2009
LOI DE 2009 MODIFIANT LA LOI
SUR LES RELATIONS DE TRAVAIL
(TRAVAILLEURS SUPPLÉANTS)**

Mr. Kormos moved second reading of the following bill:

Bill 86, An Act to amend the Labour Relations Act, 1995 / Projet de loi 86, Loi modifiant la Loi de 1995 sur les relations de travail.

The Speaker (Hon. Steve Peters): Pursuant to standing order 98, the member has 12 minutes for his presentation.

Mr. Peter Kormos: I seek unanimous consent to share those 12 minutes with my colleague from Nickel Belt.

The Speaker (Hon. Steve Peters): Agreed? It has been agreed to.

Mr. Peter Kormos: A well-known comment that has been around with us for approximately a century, and I'm quoting now:

"After God had finished the rattlesnake, the toad, and the vampire, he had some awful substance left with which he made a scab.

"A scab is a two-legged animal with a corkscrew soul, a water brain, a combination backbone of jelly and glue. Where others have hearts, he carries a tumour of rotten principles.

"When a scab comes down the street, men turn their backs and angels weep in heaven, and the devil shuts the gates of hell to keep him out.

"No man (or woman) has a right to scab so long as there is a pool of water to drown his carcass in, or a rope long enough to hang his body with. Judas was a gentleman compared with a scab. For betraying his master, he had character enough to hang himself. A scab has not.

"Esau sold his birthright for a mess of pottage. Judas sold his Savior for thirty pieces of silver. Benedict Arnold sold his country for a promise of a commission in the British army. The scab sells his birthright, country, his wife, his children and his fellow men for an unfulfilled promise from his employer.

"Esau was a traitor to himself; Judas was a traitor to his God; Benedict Arnold was a traitor to his country; a scab is a traitor to his God, his country, his family and his class."

That's what Jack London had to say back in 1905. Almost a century has gone by now, and those words, those comments and those observations are as relevant as they ever could be. The greatest single impediment to fair collective bargaining is scab labour. The largest single source of injuries on a picket line is scab labour.

Here in Ontario we had a brief period of time after 1990 where the New Democrats were in power and scabs were outlawed, like they are in some other jurisdictions in this country. The absence of labour unrest during that time when anti-scab legislation was in effect was remarkable. When there were strikes, they were shorter—or, even worse, lockouts. I believe sincerely, the New Democrats believe sincerely and working women and men believe sincerely that scabs are an abomination.

No worker ever joins the picket line willingly. Let's make that very, very clear, because when you're on a picket line, you're out there day in, day out. If it's winter-time, when winter's approaching, you're out there in the coldest of winter days and in the slush and the snow where you never get warm and your feet never get dry.

Collective bargaining takes place at the bargaining table. To allow corporate bosses to circumvent, to avoid, collective bargaining at the table by importing scabs is once again an outrage. I believe, New Democrats believe, that as long as scabs are allowed in the province of Ontario, strikes will be longer and lockouts will be longer.

Why, for the life of me, would anyone want to be a scab? Well, in the type of economy that we've developed, where there are more and more unemployed and people are earning lower and lower wages, sometimes family heads, women or men, feel compelled to take any job at any price. But they're very short-sighted, because the effect of scabbing, especially now, when the theme in labour relations by the corporate world is to end defined benefits—pension plans—and when the agenda of the corporate world is to reduce wages and when the agenda is to reduce workforces—scabs simply join with that agenda. They endorse it and they support it and they advocate for it and they make that agenda possible.

1350

I call on my colleagues here to support this legislation. Oh—dare I say it?—I'm quoting a number of Ministers of Labour. This one truly will bring labour relations into the 21st century. It's about time, Speaker, and I appreciate your patience with me.

Interruption.

The Acting Speaker (Mr. Jim Wilson): Order. I'd just remind members of the gallery that we welcome you here to Queen's Park, but we'd ask you to refrain from participating in the debate.

M^{me} France Gélinas: It is also an honour for me to be part of second reading of Bill 86, an act designed to amend the Labour Relations Act in order to ban the use of replacement workers during a strike or a lockout.

What exactly will be banned is that the employer could not use any of the following persons to perform the work done by the bargaining unit members who are on strike or lockout. They could not use an employee or a volunteer who ordinarily works at another of the employer's places of operations; they could not use "a person who exercises managerial functions, whether paid or not, who ordinarily works at a place of operations other than" the workplace where the strike or lockout is taking place; they could not use "an employee or other

person, whether paid or not, who is transferred to a place of operations" where the strike or lockout is taking place; they could not use a person, whether paid or not, who is "supplied to the employer by another person or employer." Basically that's all the bill does. It ensures that there is no replacement worker.

We did a little bit of research on strikes in Ontario. Let me tell you that there have been 219 strikes or lockouts in Ontario in the last couple of years. I have looked through, and it has affected all 107 ridings. I'll name a few: in the city of Guelph, the Toronto Humane Society, Community Living Mississauga, Rainy River District School Board secondary, Thames Valley District School Board, Toronto Transit Commission, Durham Region Transit Commission, Lanark County Interval House, Cornwall city paramedics, University of Toronto, Durham District School Board—I'm not flipping fast enough—Community Living Chatham-Kent, Elgin Association for Community Living, Middlesex Community Living, Community Living Prince Edward, York Region Children's Aid Society, Carleton University, Hearst Power Distribution Co. Ltd., Chateau Ottawa hotel—that's the Sheraton Hotel in Ottawa, the city of Kawartha Lakes, Algoma Community Legal Clinic, Sudbury Community Legal Clinic, the town of Marathon, Waterloo region women's crisis centre, Mississauga Toyota, InnVest Hotel in Etobicoke, Mount Pleasant Group of Cemeteries, University of Sudbury, Timiskaming health unit, University of Windsor, York services, Falconbridge—also in Sudbury—Estrada Nickel, York University, Burlington Technologies, the city of Welland, Stock corp. in Kingston, University of Toronto, Mike Doyle in Sudbury. The list goes on and on. I have pages of them. I want to show you that strikes happen in each and every one of our communities.

Those strikes affected 200,195 workers. In the last two years, 200,195 families have been affected by a strike. Those strikes range in length from half a day to thousands of days. On average, a strike in Ontario lasts 46 days. They have led to 3,165,000 lost productivity days.

What the bill is trying to do is bring fairness. It is trying to bring the parties back to the table sooner, because only at the negotiation table will you get a fair deal, a fair agreement.

The bill we have in front of us will affect people in each and every one of your ridings. I'll give you the pages if you're interested. I guarantee you we've checked already and 107 ridings are represented. You've all had strikes. You've all had people in your ridings walk the picket line, who could come to their MPP and ask for help. Well, we are very fortunate to be in a position that we can afford those people some help. We are very fortunate to be in a position, as MPPs, that we can pass a bill that will help bring both parties back to the table so that they negotiate a fair settlement quicker. All of those 219 strikes I've talked to you about—all of those 200,195 workers have all gone back to work; they have all found a settlement. But that period of time when a strike goes on and on, where there is risk of escalation of the conflict

between the two parties, is not good for the workers and their families, is not good for the employer and the supporting businesses, is not good for your communities.

Today you have an opportunity to help all of those people here who stand in the gallery. You have an opportunity to help your constituents, because you've all been affected by a strike. All you have to do is vote in support of Bill 86. Voting in support of Bill 86 won't mean that people can't go on strike; it won't mean that the right to strike will be taken away. All it would mean is that the length of the strike will be shorter so that Ontario will be more productive and the escalation won't take place. I hope you will support it in second reading, and I count on you on third reading also.

The Acting Speaker (Mr. Jim Wilson): Further debate? The honourable member for Brampton West.

Mr. Vic Dhillon: Thanks to the member from Welland and the member from Nickel Belt for their advocacy for workers. We all share a common goal in advancing fair labour relations in Ontario.

I know that labour disputes can sometimes be difficult and that they have a great impact, not only on the parties at the table, but on the families and friends of the impacted workers. That is why my focus and the focus of our government is to make sure that we get the parties to the bargaining table. Our Ministry of Labour mediators, who are some of the best in the world, have been working with the parties in trying to assist them in their efforts to reach an agreement.

The province of Ontario has one of the strongest labour relations records in Canada. Last year, over 95% of Ontario's negotiations resulted in a deal without a strike or lockout. The most recent of these studies examined over 4,000 contracts negotiated at large private sector companies in Canada from January 1967 to March 1993. The results, heavily influenced by Quebec's experience, reveal that the average duration of a strike is 86 days if the hiring of replacement workers is forbidden, and 54 days in the absence of such measures. I believe that the best agreement is one that is made at the collective bargaining table.

This bill not only prevents the hiring of new workers to perform work of the unionized workers involved in a work stoppage, it also prevents the use of current employees, whether unionized or non-unionized, from a different location being transferred to work at the location impacted by the work stoppage. For example, an employer could not transfer workers from its Brampton store to work at its striking store in Etobicoke.

It's important to note that although the Premier has committed that the government will not hire replacement workers to perform the tasks of unionized employees involved in a work stoppage, there has never been a commitment to not use other government employees to perform the work of striking employees.

This private member's bill will also prevent striking employees from being able to cross the picket lines and return to work during the strike. More recently, we saw several hundred city of Toronto workers return to work

during the strike. This bill would take away a striking employee's right to decide whether to continue striking or return to work.

1400

Another difficulty I have with this bill is how it would relate to municipalities that are in the midst of a strike. For example, last summer the city of Toronto workers went on strike. Under this proposed bill, managers who normally perform at a particular location would be allowed to perform the work of the striking workers. However, the city could not be prevented from reassigning managers to other locations to work there. Therefore, temporary dumps not located at established dump areas could only be staffed by managers who normally perform work on the property where the temporary dump is located. For example, a recreation manager at Christie Pits who normally manages the baseball diamond and the pool and skating operations would be the only manager able to work at the temporary dump. Managers from other locations would not be able to work there under the conditions outlined in this private member's bill.

For these reasons, I cannot support this bill.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mrs. Elizabeth Witmer: I'm pleased to have the opportunity to speak to Bill 86, An Act to amend the Labour Relations Act, 1995, which basically prevents an employer from replacing striking or locked-out employees with replacement workers.

This issue is one we have been debating for some time. In fact, I can remember standing in this House on November 5, 1992, when we were debating Bill 40, which had been introduced by the Bob Rae NDP government. One of the provisions at that time was to ban replacement workers during a strike or lockout. That was when this initiative was first introduced. At that time, it appeared that the objective of Bob Rae's NDP government was to shut down any company that was on strike as completely as they possibly could. Obviously, if they were able to do so, it would render the employer quite helpless.

At that time, Bob Rae and his government said that the ban on replacement workers was working well in Quebec, and that there had been no adverse consequences. We subsequently discovered that that wasn't quite the case. They talked about less violence, and a lot of the information they brought forward was not quite as factually accurate as they portrayed it.

But at the time the legislation was introduced by Bob Rae's government, we heard from a lot of employers who were very concerned about the impact of this ban on replacement workers. It was also a time in the history of this province when we were seeing, I guess, similar slowdowns in the economy. We were seeing the loss of a lot of jobs, just as we're seeing under the McGuinty government today. It became abundantly clear that if we were going to introduce this ban on replacement workers, employers were telling us that they were not likely to expand their operations in Ontario. People were telling us

that they were not likely to move new companies and businesses into Ontario. So it certainly appeared at that time that the introduction of that particular section on replacement workers was going to have a very negative impact on the economy. In fact, a study at that time by Ernst and Young indicated jobs would be lost. It also indicated that billions of dollars in investment could be lost over the next five years as well.

Despite this, the Bob Rae government did move ahead with that initiative at that time, and that was the end of the first round. Then came 1995, and that was when the Conservative government took over in the province of Ontario. Certainly, all of the, I guess, messages that had been communicated when Bill 40 was introduced regarding the possible impact of the replacement worker ban had come true. The economy had further deteriorated. We were continuing to see the loss of jobs from the province of Ontario. All hope was gone for many young people because there weren't jobs and people were not locating in Ontario, just as had been promised in studies that had been undertaken, that if we were going to have this ban, Ontario was not the jurisdiction of choice.

Our government, in 1995, when we were elected—our very first piece of legislation was Bill 7. What we were attempting to do was to make this province, once again, open for business. In other words, we wanted to make sure that the employers who already had businesses in the province of Ontario would be encouraged to expand their businesses and create new jobs. We were looking forward to seeing people from outside of Ontario, whether the United States or elsewhere in the world or another province, move into this province—again, to create new jobs in the province of Ontario—so we introduced Bill 40. I would say to you that—we introduced Bill 7, sorry; we were trying to do away with the consequences of Bill 40.

Bill 7 was a bill that was introduced in November 1995 and passed. It was our very first piece of legislation, and it had the intended consequence in that it did open the province of Ontario to job creation by the private sector. There was a tremendous amount of job growth, and there was new hope and opportunity for many of the laid-off workers and certainly for our students who were graduating, whether from high school, training programs, colleges or universities. There was opportunity. So it was a good initiative in order to help with job creation.

We all know that we need job creation. As we did then, we need it today, because what we're seeing today is that if you don't have job creation, if people don't have jobs, you see that taxes that are paid to the government, whether personal or corporate, decrease, and we don't have the necessary funding that we need for health care or for education or for social services. We also know that if you don't have jobs being created and see only job loss, as we're seeing today in the province of Ontario, there's greater pressure put on these social services in the province. We're certainly seeing that today.

In fact, I referred to an example earlier this afternoon. The government has reduced the amount of funding for

our children's aid societies, but they've done so at a time when there are more children at risk than ever before because their parents have lost their jobs. There's more stress within families, and so we have more children at risk, we have more children, unfortunately, who are suffering abuse and neglect, and we have more children in care.

This bill that we have before us today—as I say, it's old ground. We covered it in Bill 40, Bob Rae's bill. We covered it in Bill 7, the bill that was introduced by the Harris government in 1995. I know that the member is well-intentioned; however, this bill, if it was moved forward and was supported and passed, would certainly have the potential of tipping the balance of power towards labour. The scale would not be as equal as it is today in any labour negotiation.

I would say to you that, despite the fact that the bill is well-intentioned, I think we need to recognize that employers in Ontario have already suffered greatly. There's a lot of red tape. There are many, many challenges, and we need to make sure that employers in the private sector can continue to create jobs. Because when you think about the 330,000 jobs that have been lost under this McGuinty government; when you take a look at all the young people who are graduating from our colleges, our universities our high schools, our training programs who don't have a full-time job, we certainly need to ensure that we provide an environment for job creation.

1410

I would not support moving back to the past; I think we need to move forward. I hope that both employers and employees can continue to work in co-operation together. Certainly, we need to make sure that there are opportunities for all people in this province, and so I cannot support this bill as it's currently structured.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Ms. Andrea Horwath: It's with great pride and pleasure that I rise today to speak in favour of the bill that was introduced by my colleagues Mr. Kormos and Ms. Gélinas.

There is no doubt in my mind that the necessity for anti-scab legislation in this province is greater now than it has been in quite a long time. I say that because we see the attack on workers that's happening in this province by multinational corporations, many of which are employers of the workers who are in the galleries today. What is happening is a tragedy, because the companies are coming into this province, and they're telling these workers that they want to change the culture of the workplace.

What does that culture look like in Ontario? That culture is a culture where workers have dignity, where workers are treated with respect, where workers are able to earn wages that provide a decent standard of living for them and their families. It's a culture where workers are able to bargain at the negotiating table with their employers for things like pensions and health benefits for

their families. That is the culture that we have in this province, a culture where workers can go to work in the morning and come home and be safe in the evening because we have health and safety standards in this province.

Granted, there's always room for improvement, and every worker knows that there's room for improvement, particularly when it comes to health and safety.

Nonetheless, what we see right now in this province is these companies that are coming in and telling workers, "You are no longer able to expect to receive the very things that you have negotiated after decades and decades of bargaining at the negotiating table. Not only can you not expect that anymore, but we'll put you on a picket line, and we'll have other workers come in and do your jobs until we break the backs of you and your union sisters and brothers." That is a shame in this province—an absolute shame.

Interruption.

The Acting Speaker (Mr. Jim Wilson): I don't want to have to continually interrupt the honourable member who has the floor. I again ask the visitors in the gallery to refrain from clapping. We welcome you here, but the honourable member does have the floor, and we need to listen to her.

Ms. Andrea Horwath: This is why we have brought this legislation forward. This is why New Democrats believe that now is the time, more than ever, to bring back to the province of Ontario a scenario where we provide that fairness, if you will, in the collective bargaining process, that fairness that levels out the power relationship between the employer and the workers.

Why do I say that? Because we know very well where the employer has the utmost piece of power, and that is the fact that they pay the wages of those workers. They pay the benefits, oftentimes copayments with workers. But they have that power in terms of the livelihood of the worker.

What does the worker have? The worker has their labour. When the workers are in that negotiating relationship, the only power they have is the ability to withdraw that labour, to bring the employer to the bargaining table and make sure that that employer has an interest in settling that dispute. Without that dispute being settled, the employer will no longer be able to undertake business and will therefore suffer financially as a result, the same way that workers suffer financially.

I think the member from Brampton West said in his initial remarks that sometimes labour disputes can be difficult. Labour disputes are always difficult. They are always difficult for workers—absolutely always—no doubt about it. There are workers on the line right now. There were workers on the line months ago and years ago, and there are going to be workers on the line in the future. What we want to say to these workers and what we believe needs to happen in this province is that scabs should not be able to cross the picket line and do your work while you are trying to fairly negotiate a collective agreement with your employer. That's what this legislation is about, and that's why we support it.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Wayne Arthurs: I'm pleased to be able to join in the debate this afternoon during our private members' time on Bill 86, introduced by the member from Welland. The bill, as we're well aware of at this point, is an Act to amend the Labour Relations Act, 1995. A couple of things: First to say that I think everyone in this place understands and those in the workplace understand that a decision made either by a union to take a strike action or by an employer to take an action to lock employees out is always a difficult decision for all those involved, those in the workplace or their families, employees, management, suppliers, customers. It's never an easy decision to make, regardless of which direction one would take.

We heard the parliamentary assistant for the Minister of Labour acknowledging earlier that this is private members' hour; it's a time for private members' debate but also an opportunity, obviously, to bring forward matters that have broader Legislative Assembly appeal as well. But the parliamentary assistant, I think, was pretty clear in his comments that at this point in time the government does not have any intention to bring forward legislation of this nature as a government matter; thus this opportunity to debate it in this format.

The member for Kitchener-Waterloo provided, in my view, a good history—I wasn't here during all of that time, obviously; I arrived in 2003—a history, some of which obviously I was not privy to at that point, but I think an articulate history of what has transpired. Among the points she made is that it was only during one time of government that legislation of this nature has been in place; that prior to that government, the government of the day, whether at that point it was a Liberal government, a Tory government or a coalition government for a short period of time, didn't have legislation of this nature in place nor did they bring it forward at that time. Subsequent to the time when the legislation was in place, during the Bob Rae NDP government of the early 1990s, the next government took it out of play, and the current government has retained that particular position.

There have obviously been strikes, as the member from Nickel Belt pointed out, probably affecting in some fashion each and every one of our constituencies during any given period of time. The broader reality is, though, that for the vast majority of time, strikes are settled, lockouts are settled by negotiation at the table.

History shows that over the past few years labour-employee relationships, with the support of the Ministry of Labour and mediation, as the case might be, have resulted in negotiated contracts rather than strike action. I would note some of the references she made to those strikes. A fair number of those were public sector strikes. For whatever reason, those were ones that occurred.

Time is always short—the bit of time we have. I'm not going to be supporting this piece of legislation, this private member's bill that has been brought forward at this point in time. I think we have established and continue to work with employers and employees to find

settlements, that they work together to find settlements in their contractual disputes as opposed to having legislation of this particular nature in place.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Paul Miller: I'll start off by saying that I've been a proud Steelworker for over 30 years with 1005, and I'm standing beside my brothers and sisters; I'm standing behind the people who are the backbone of this province.

I want to tell you what happened when I lobbied for the United Steelworkers in Ottawa a couple of years ago. They brought anti-scab legislation across federally to the people of this country. The NDP presented it. They had meetings with the federal Liberal Party. I was there. The Liberal Party ministers promised to support it; when the vote came to the Legislature, they would support it. In the House of Commons, they would support the anti-scab legislation. I was there that day. Half the Liberals didn't show up; half of them left. They back-doored us. They did not support us. They stabbed us in the back.

1420

Now you, as provincial Liberals, have an opportunity to support the people of this province. We're giving you that opportunity today. Don't turn your backs on the workers of this province. And I'll tell you—

Interruption.

The Acting Speaker (Mr. Jim Wilson): Again, I don't want to interrupt the honourable member, but please refrain from clapping.

Mr. Paul Miller: I'll continue. I'll just tell you that I, from Hamilton, have been through strikes. My parents went through the 1946 strike, and I'll tell you, it pitted families against families. It pitted brothers against sisters, cousins against cousins and towns against towns when they brought in scab labour. They even had houses burned, people threatened, damage to property. These are the types of things that scabs bring to a community. It breaks the back of the community. When I started in that plant in 1972, there were still guys in that plant that people were calling scabs and wouldn't talk to, 25 years later. That's what it does to the social fabric of our communities. You're ruining us, and you'd better start standing behind the people of this province, because they're going to tell you in 2011 who they're behind.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Gilles Bisson: It's awfully interesting that we have a lot of silence on the other side of the House and within the opposition to even speak to this debate. We've listened now to the government give us the reasons why they can't support it, and we've listened to the reasons why the Tories don't support it, and the conclusion I make: They're two peas in the same pod. It's no different, a Conservative or a Liberal; when it comes to standing up for workers, they've clearly chosen what side they want to be on, and I think that's wrong.

I'm proud to say, both as a New Democrat and a proud Steelworker, that I stand with the workers all the way, because I believe "justice" means to say that you have to

have an ability to make sure that there is settlement at the bargaining table. To make that happen, we have to ensure that we allow no scab labour on the picket line, because when that scab labour is there, it really keeps people away from the bargaining table.

Je veux seulement dire très vite, parce que je n'ai que 30 secondes, qu'on a souffert, nous autres, dans notre région de Kap à cause de ce qui est appelée la tragédie de Reesor Siding. Il y a eu une grève dans les années 1950 ou 1960 quand les travailleurs remplaçants sont entrés sous la « picket line ». À cause de ce qui est arrivé à Reesor Siding, il y a du monde aujourd'hui, comme dit mon ami M. Miller, qui ne se parlent plus, et il y a eu du monde sur qui on a tiré et qui ont été assassinés sous cette « picket line ». C'est quelque chose qui est très difficile. Il faut avoir des lois dans cette province qui disent qu'à la fin de la journée tous les travailleurs ont du respect et le droit d'utiliser leurs droits démocratiques.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Peter Tabuns: This act gives me hope, because working people in this province for decades have fought for decent lives, and it is their sacrifice on picket lines, in the heat of the summer and the frigid dark of the winter, that has made it possible for working people to buy a decent home and to send their kid to university. My father is a proud member of CUPE in Hamilton. As a kid, he told me he always voted for a strike mandate, because only if you were able to strike could you talk to the employer with any leverage.

What's happening in this province is a rollback of working people and the gains they've made over a century. And working people, people who work at Cadillac Fairview, members of CEP, people who work at Vale Inco, members of the Steelworkers, are on the front lines in Ontario trying to make sure that we have a future, that our children have a future, that this province has a middle class that can live a decent life.

I want to say: That's the larger picture, but there's a very close picture at hand right now, and that's that replacement workers will be going into the mines in Sudbury. They will be doing work that they do not have the training for, and only with extraordinary luck will death and maiming of people be avoided. The people who are here today are fighting for themselves and to make sure that no one is killed in a stupid incident on the job. We need this legislation.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Michael Prue: There's an old union song. It goes: "Which side are you on, boy?" And I'll tell you which side I'm on: I'm on the side of the workers. And I'm on the side of the workers because the workers and the unions that represent them got together more than 100 years ago to help the vulnerable. Today they help women and immigrants and the young and the poor to get and maintain a decent job, a decent standard of living. The whole question of this bill is one of power and fairness. The boss is always the boss, and the boss is always going

to be the boss, but the only time that the workers and the union are able to do anything about it is at the time of collective bargaining. If they cannot sit down as equals, then they cannot bargain successfully. If we want change in this society, if we want the vulnerable and the poor to have an opportunity, then we have to change the legislation that was brought in by Mike Harris.

We can, as a government, as a Legislature, continue in the deepest darkest days of Mike Harris and continue with this legislation—or the new Harris-like regime of Dalton McGuinty that doesn't seem to want to change it. But I will tell you, we need to make that change. Right today, people are going to the Supreme Court of Canada to fight for farm workers so that they have decency where they work. This government, the government opposite, is opposing them at the Supreme Court of Canada, and it's just what you do. I'm telling you, find a spine over there, vote for this legislation and tell Dalton he's wrong.

The Acting Speaker (Mr. Jim Wilson): The honourable member for Willowdale.

Mr. David Zimmer: I want to make two points. First of all, this province has worked very, very hard to achieve and maintain labour peace. In a strike situation, this province does everything it can to resolve that strike. You know, there's this idea that replacement workers can just be brought in, holus-bolus, without any safety requirements or anything and replace striking workers. In fact, if an employer takes on a replacement worker, there are very strict requirements that that replacement worker has to meet. It's the employer that has to make sure that the replacement worker meets those standards. There are occupational—

Interruption.

The Acting Speaker (Mr. Jim Wilson): Order. I just remind people that we could clear the galleries, but we only have a couple of more minutes of debate and then Mr. Kormos's windup—

Interruption.

The Acting Speaker (Mr. Jim Wilson): Stop the clock. Remove the offending member from the gallery.

Interruption.

The Acting Speaker (Mr. Jim Wilson): We'll take a two-minute recess.

The House recessed from 1428 to 1431.

The Acting Speaker (Mr. Jim Wilson): The honourable member for Willowdale has the floor.

Mr. David Zimmer: Anyway, my main point was what we were doing and the great things that we've done to have healthy, meaningful and very workable labour management relationships, with the assistance of the Ministry of Labour and all of the other resources that the province can bring to bear. I want to point out two facts just because I think it's important to keep the bigger picture in mind.

In 2008, 97% of collective bargaining arrangements were resolved without a work stoppage. We're talking about 3% of bargaining arrangements that end up in a strike situation. That's a very, very small number. The

officials from the Ministry of Labour have got tremendous resources available to them to assist to resolve these disputes.

The second point I want to make is the economic effect of a ban on replacement workers. John Budd, department of human resources at the University of Minnesota, refers to a March 2000 study that made the point that there is a significant reduction overall in the gross employment numbers in a jurisdiction that has banned replacement workers.

John Budd and Yijiang Wang, in a textbook, point out that “replacement worker measures also have adverse effects on investment levels.” Using provincial data from 1967 to 1999, it has been proven that the investment rate in provinces with replacement worker bans is 25% lower than in provinces without such legislation. That lack of investment, that reduced investment, translates directly into fewer overall jobs. That’s the bigger picture.

Peter Cramton, and Morley Gunderson and Joseph Tracy, in a text on strike replacement bans in Canada, looked at 4,300 contracts negotiated in private sector companies in Canada from 1967 to 1993. They showed that the average duration of a strike is 86 days where there is a replacement worker ban; it’s only 54 days where there is not a replacement worker ban.

Finally, a December 2008 study by Morley Gunderson, who is CIBC chair in youth employment at the University of Toronto, concluded that where there’s a legislative ban on using temporary replacement workers, three things have occurred: double the likelihood that the strike will last longer—in fact, the strike will usually last 50% longer than in those jurisdictions where there is no ban—

The Acting Speaker (Mr. Jim Wilson): Thank you.

The honourable member from Welland has up to two minutes for his response.

Mr. Peter Kormos: Needless to say, I appreciate the participation in this debate by the members who did.

Mr. Zimmer tells us that approximately 3% of labour disputes result in strikes—I presume that’s strikes or lockouts. I want to make it clear: No worker has ever wanted to go on strike; they don’t get paid. Also, take a look at the numbers that came out of the city of Toronto after a reasonable, although unnecessarily *[inaudible]* period of picket lines. The mayor is now faced with the conundrum of what to do with all that extra money he hasn’t paid out in salaries.

Let’s also take a look at company histories. There are companies that are 20, 30, 40, 50, 60 years old that have never had a strike, and then there are other companies that seem to have work stoppages every single contract. That, Mr. Zimmer, is far more telling than Minnesota-based statistics.

The right to withdraw one’s labour is a fundamental right in a democratic society—it’s fundamental—otherwise we return to the antebellum period in the South where plantation owners owned their workers; now, I suppose, bosses merely rent them. But that concept, as I say, is one that defies democratic principles, undermines

the right of workers to collectively bargain and has not served this province well. Disputes have to be resolved through the course of negotiation, and I put to you that negotiated resolutions are far healthier ones and the ones that are going to survive. I support this legislation, of course, and I’m confident that a whole lot of Ontarians do as well.

The Acting Speaker (Mr. Jim Wilson): We will vote on this ballot item in about 100 minutes time.

FINANCIAL LITERACY

Mr. Charles Sousa: I move that, in the opinion of this House, the government of Ontario recognize the importance of financial literacy education, and that the Ministry of Education undertake steps to include financial literacy in our elementary and secondary school curriculum.

The Acting Speaker (Mr. Jim Wilson): Mr. Sousa has moved private member’s notice of motion number 109. Pursuant to standing order 98, the honourable member has up to 12 minutes for his presentation.

Mr. Charles Sousa: It’s a pleasure to rise today to talk about my resolution regarding financial literacy. The purpose of my resolution is to help prepare our young people to make informed financial decisions.

I dare say that not enough is being done to teach kids about financial basics. More and more, people are becoming aware of the need for financial literacy education. Personal finances are high stakes. They affect everything we do. People require knowledge to make good decisions. As such, we in government need to do a better job of preparing young people.

Financial literacy skills are a crucial tool for that success. I would envision them to cover things like student loans; mortgages; budgeting—just managing cash when they get out of school; setting goals—let them start planning for retirement now, enable them to start early; even doing tax returns at school, so that they can understand after-tax planning and deductible interest costs when making their financial decisions.

People often learn financial basics anecdotally. Sometimes that teaching can be predatory. We’re fortunate in our school system. We have great teachers, and we have great volunteers as well, organizations like Junior Achievement where students and others come to help them with company programs and even class programs. We have the Investor Education Fund, which runs an excellent program in schools and is well-received. Social and Enterprise Development Innovations, SEDI, has also started the Canadian Centre for Financial Literacy, which is working to educate all Canadians, young and old. As such, and with that in mind, government needs to play a role as well.

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In the end, the goal I see is to minimize the intimidation of finance. There’s a growing consensus that financial literacy education is the right thing to do. On June 26, the federal government announced a task force

on financial literacy. That task force is there "to help create a cohesive national strategy to support initiatives across Canada aimed at improving financial education." Manitoba is working toward financial literacy in schools as well, and they've already started. It was announced in September 2007.

Financial literacy education has a number of benefits. Our government has put forward an aggressive poverty reduction strategy. I believe financial literacy plays a role in reducing poverty in Ontario. We want consumers and those most vulnerable to have better choices so that there will be fewer people in financial difficulty. Without an understanding of compound interest, for example, people may get caught in a spiral of debt. Oftentimes, people overlook things like planning for retirement, as I've said. People should be given the tools necessary to make better financial decisions so as to prevent possible bankruptcies and/or foreclosures.

During the poverty reduction round table meetings—I hosted a number of them in my riding and in my community. The issue that came about was one that suggested—and I heard this many times from a number of stakeholders. They told me that better knowledge of financial basics can go a long way toward helping people improve their financial circumstances.

Governments can also benefit from people making better and more informed financial decisions. Fewer people in financial difficulty means more people working more productively, and it reduces demand on social services, which means we have more money available to invest in Ontario's future. The Premier has a term for this: He calls it "enlightened self-interest." We want everyone to be at their best. We want everyone to enjoy the same opportunities. A better understanding of financial basics is good for economic growth and it benefits all Ontarians. It means increasing our investments. It means increasing consumer activity.

Financial literacy also plays a role in our government's consumer protection mandate. If financial literacy is adopted, people may be able to make better decisions and avoid exploitation. Often, many consumers learn from someone who is trying to sell them something. When people lack that information, they may make poor decisions. For example, what, indeed, are the total costs embedded in a leasing instrument or a no-payment sales event? Education can prevent people from using predatory lenders and help them understand the present value of their money.

I had the honour of serving as parliamentary assistant to the Honourable Ted McMeekin in his former role as Minister of Government and Consumer Services. As part of my responsibilities, I worked on Bill 48, the Payday Loans Act. I became very aware of the concerns facing the more vulnerable in our society during those deliberations, and the greatest concern involved lack of information and understanding. So included in those provisions was the requirement for a consumers' education fund.

Financial literacy leads to greater understanding of the available resources that are there in the marketplace. It

helps to enhance personal wealth and, ultimately, our prosperity. It also helps to prepare for estate planning and even insurance as forms of financial instruments that people should understand.

This also has a direct benefit to our economy. Informed choices will lead to fewer excesses. We've just experienced, over the last year and a half, a global financial crisis. Subprime deals and a number of highly leveraged situations created havoc around the world and here at home. It's important that people understand the degree of leverage that they assume so that they can lessen that risk or assume it if they wish, but provided they have an educated amount of understanding as to what they are assuming so that they can understand their respective level of risk tolerance.

Financial literacy is a big issue and it covers a wide array of topics. Topics that I see that could be included in a financial education course would include, first and foremost, attitudes and values, so people have a sense of comfort in dealing with the issues of finance. It's a very complicated term, it seems, but it doesn't have to be. People should understand how they can use financial planning and budgeting to their advantage and how they can invest effectively through savings and having those investment basics understood, and again, how to file their taxes. Let these students in high school establish themselves in our society by filing their taxes, and even balancing their books and understanding their banking basics, so they can reconcile their cheques and understand and manage their cash and their money.

Then you go on to understanding fringe and alternative financial services such as leasing and even payday loans. Ultimately, our goal is to have consumers with informed choices who understand their issues, and having our young people immediately understand the issues around credit ratings and scores. Their credit scores will have a profound impact on their entire lives. So we want them to avoid the financial woes of the global marketplace while protecting their own particular instances.

Credit cards could easily be one topic in a financial literacy course, and it should be. People should understand at a young age the positive and negative aspects of credit. They should understand the importance, as I mentioned, of building a credit score and their credit rating for their future opportunities. They should also understand the difference between a credit card and a charge card. Enable them to pay off, or suggest to them that they should be paying off, their credit balances in full at the end of the month for the amounts that they use and avoid getting caught in the spiral of debt.

Don't be afraid of a credit card. Understand its merits and benefits and understand that you need access to credit and funds for future years. I recognize and appreciate that Ontario teachers are supportive of the principle of teaching financial literacy in our school. I have a number of quotes of support already and I'll go through them in a moment. I also understand and support their desire to be included in the curriculum development

process. It's important to clarify that I'm not advocating a particular method for introducing financial literacy in the classroom. I encourage education workers and the Ministry of Education to work together to determine a strategy that works best for education workers and students.

Some examples that could be included in the elementary programs would be in the math classes. In the secondary programs it would be in accounting, economics and, of course, in math classes. But it's important to note that it's not a one-time lesson. Financial literacy education should be an ongoing process. This is about building a foundation for lifelong learning.

As students leave school and enter the financial marketplace, they will be faced with a number of important and complex decisions. The goal of this resolution is to better prepare Ontario students to make those decisions. Along the way it's crucial that we continue to engage education workers to develop programming that works for teachers and students. What we all want is to prepare and protect our youth and lay the foundation for a lifetime of effective personal financial management.

I have with me a few visitors: Vivian McCaffrey from the Elementary Teachers' Federation of Ontario, Craig Brockwell from the Ontario Secondary School Teachers' Federation and Tom Hamza, president of the Investor Education Fund, and his associate, Chris Allum.

Just to reinforce, here's a quote from the Elementary Teachers' Federation of Ontario: "Recent economic problems related to our overextension of credit underlie the importance of promoting financial literacy throughout the population. At the elementary level, ETFO believes that age appropriate lessons can be developed and integrated into the existing curriculum of kindergarten to grade 8."

Tom Hamza, the president of the Investor Education Fund, says, "We strongly support changing the curriculum to include financial literacy education. We support motion 109. It moves us closer to the goal of ensuring that future generations of Ontarians are better equipped to financially protect themselves and will help citizens to become more confident and effective when managing their finances."

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I have one more quote from the Ontario Secondary School Teachers' Federation: "OSSTF approves Mr. Sousa's resolution in principle, if as it states, financial literacy is included in the existing elementary and secondary curriculum."

"We believe that our students should understand how to manage their money effectively."

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Peter Tabuns: It's a privilege to be able to speak here today on this motion. Obviously, it's a useful thing in this society for our young people to develop financial literacy. Certainly at the elementary to secondary levels, that kind of education is something that would keep them in good stead for the rest of their lives. It would help students protect themselves, and as adults, hopefully, it

would allow them to spot a Bernie Madoff when one walks down the street.

Students need skills to manage their personal finances. They need to learn the skills to manage a household, to budget properly, to make sense out of the numbers they deal with on an everyday basis and to deal with their household budget so they're able to actually meet their commitments, ensure that their mortgages are paid, that their rent is paid, that there are groceries on the shelves and, frankly, that they are to keep themselves afloat without having to deal with payday loans.

As you may know, Speaker, in the past, in grades 7 and 8 the family studies program used to teach children about buying, budgeting and preparing food. That was cut by the Harris government and, inexplicably, has not been restored by the current government. I see the initiative by this private member as perhaps part of a recognition that there's a legacy there that needs to be rolled back in a variety of fields, and this is one of them. Restoring the program that existed previously for grade 7 and 8 students would be a good start to increased financial literacy.

Children need to learn about comparison shopping. They need to go out there and figure out which cellphone plan works best for them, and they need the education to do the numbers so they do, in fact, get a good deal. For those who have dealt with younger people and their cellphone bills, I am sure that my words of wisdom are particularly resonant because they too have leafed through the 10 to 20 pages of bills, and their hair has whitened to an even greater degree than it had been before.

Children need consumer skills and information because they're being targeted by advertisers at an earlier and earlier age. Young people have to make decisions about immediate purchases as well as long-term purchases. Young people need to understand tax rates, how taxes are calculated. For instance, an understanding of the tax system will enable young people to better understand the implication of events such as those which occurred at OLG and with eHealth. If they understand what those numbers mean, they understand the implications of spending \$30 billion without tendering a contract. They realize that it isn't just a distant issue that they don't fully understand, but one that they can comprehend number by number by number.

We would encourage programs which would allow young people to calculate and understand the implications of the harmonized sales tax and determine exactly how much the HST is going to cost them. Clearly, if they have financial literacy, they'll be able to go out there, look at prices and understand where those prices are going to jump substantially. They're going to be able to track the claims that have been made that producers will actually pass on the savings they have in their reduced taxes.

My sense, Speaker, and you may well be aware of this, is that the experience in other jurisdictions—and I would cite the VAT that was introduced by Margaret Thatcher in the UK—it that very clearly there was no

reduction in prices that was passed on to the public. People just saw another level of cost.

Young people have to be warned about the danger of credit card fees. They need to understand the implications of interest compounding at 12%, 14% and 19% a year. They need to be aware of the dangers posed by payday lenders. Again, we're talking about interest rates compounding at very, very high levels. If they're not familiar with numbers, if they don't know how to calculate interest, if they don't know what paying back 20% and 30% on a loan really means, then frankly their budget can run away from them.

Students need to be able to work out the long-term costs of student loans to realize that increasing the limits on OSAP is not the answer to rising tuition. I have to say, even without programs of financial literacy, most students understand that simply giving them bigger loans is not the solution to the affordability of education. They may not be able to calculate it to the penny, but they know that they're being stuck with an incredibly large burden, one that will be very difficult to pay off if there are not the well-paying jobs that one needs to actually carry such debt loads.

Students must learn about mortgages, rates of amortization and the impact that even a small increase in interest rates can have. Students need to master basic banking skills: writing cheques, managing a bank account, maintaining different types of bank accounts, online banking—all of those things that you need in daily life in this province. They also need to be aware of debt management options that are available if they do get into trouble.

Financial literacy should include some career planning and the establishment of realistic financial expectations. Grade 7 and 8 guidance teachers need to provide many of these things. Certainly, increasing the number of guidance teachers who can sit down with students on a one-to-one basis and go through these things that I've talked about—student loans, credit cards, setting up your first household when you leave home—all of those things would be to our advantage. And having more guidance teachers in our schools would be part of a program to actually deliver on this resolution.

The priorities that we see are: In elementary grades, the emphasis should be on the calculation of financial costs and outcomes; in secondary grades, there should be more analysis. The goal, clearly, is not to turn all of our students into investment bankers. In fact, I think given what has been going on on Wall Street and Bay Street in the last year, there may not be as many investment banker positions as there have been in the past. But our goal has to be to teach our students, our young people, how to protect themselves and make sound financial decisions. It's important because, clearly, a lot of parents have not been in a position to pass on those skills to their children, have not been in a position to actually go through the details. We need to have an education system that actually does make sure that people can run their lives responsibly, without putting themselves at risk with extraordinarily high levels of debt.

We hope that such programs would encourage students to ask questions about our economic system and, particularly at the secondary level, ask questions like, how sustainable is this system and what's the impact of our economic system on the environment? Financial literacy is not just a question of calculating rates of interest, rates of return, rates of profit, but also comparing cost implications. You may or may not know, but many years ago the city of New York had to make decisions about providing itself with fresh water. They had a choice to invest in a large and complex system of pipes and reservoirs or buy a large section of forested land north of the city which acts as the headwaters for streams and groundwater flowing into New York used for their water supply system. They calculated that it was cheaper to buy the forest and hold it in trust so that it could capture and filter and provide water to the city of New York. Understanding finances, understanding numbers, can be as important to protecting our natural environment as any other sector of knowledge, as important as biological knowledge.

Young people need to know the social implications of our financial system. When large numbers of people are trying to live on a few hundred dollars a month, on Ontario Works or ODSP, there are consequences to that. There are health care cost implications. There are implications with regard to addictions, mental health. There are implications with regard to criminal activity. Frankly, there are implications with regard to people getting extraordinarily ill, and in some cases dying in bus shelters in this city. An understanding of the numbers and an understanding that making investments in social services can have huge beneficial effects on society as a whole is something that our students need to have.

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They should be taught how financial institutions can be regulated to protect investors. Clearly, if you look at the realities in the post-financial crash world, the regulation system in Canada, which was constantly fought by bankers, did a lot better job in protecting investors than the—what can I call it?—free-for-all in the United States and the UK.

In order to implement such a system, the first step would be to see which of the areas that we're interested in are being covered in the curriculum now and assess the degree to which additional topics could be integrated into existing curriculum. The current elementary curriculum does not have any room—no, it has limited room for additional demands, so what's needed to implement such a resolution is to look at existing courses and see how, within the context of teaching math, teaching people how to set up their households, they can also be taught the financial realities of life. And secondary school lessons about finance can be incorporated into math, business or computer courses.

We know that the curricula in schools now are already carrying a heavy load. So to do what's suggested, there's going to have to be a fairly intelligent analysis of how that integration can take place without driving other worthwhile material off the table.

In the end, if this resolution is to go forward and do something that's useful, there's going to have to be collaboration with parents, with teachers and with boards of education, and there has to be an acknowledgment that there's already considerable demand being placed on our education system. When we ask that more work be done by the education system, simple math tells you that there has to be greater investment. The investment is not there now. Far too often, schools are stripped down to the basics—losing librarians, music teachers, art teachers, phys ed. That has to change, that has to be reversed, and it's my hope that a generation of young people who know how to calculate the numbers will be in a better position to fight for decent schools in this province.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mrs. Elizabeth Witmer: I'm very pleased to respond to the resolution that has been put forward. I would indicate to you that I certainly support this resolution put forward by the member from Mississauga South. Basically, the resolution is calling on the Ministry of Education to include financial literacy education in Ontario's elementary and secondary school curricula. It doesn't prescribe how it will be included. Rather, it is encouraging the Ministry of Education to work with all of the education stakeholders to determine how we would best move forward. I would agree that that's the best way to achieve the goal.

The member also says that not enough is currently being done to familiarize Ontario students with financial concepts. Having just listened to the member who spoke, I would certainly agree. Our young people today face many more challenges, and unfortunately they are not familiar with financial concepts. As a result, we're seeing a lot of young people with debts who face some real challenges in their lives and also don't quite understand the financial system.

This issue of financial literacy was one that I had identified myself when I recently became the education critic for the official opposition, and I know it has the support of my leader as well. So we need to consider it for inclusion into our curriculum, as the member has suggested. The stakeholders need to be involved in working with the ministry, and I would agree that it is absolutely critical that our students have a solid foundation and a complete understanding of finances. In fact, there are currently personal financial literacy courses in Australia, the United Kingdom, the United States and elsewhere. If we take a look at how we can embark upon our course of action, we could take a look at these other jurisdictions and we could incorporate some of the best practices.

There's also a growing interest in Canada in supporting the development of financial literacy. For instance, we have the Department of Finance, Industry Canada, Human Resources and Skills Development Canada, and the Senate Standing Committee on Banking, Trade and Commerce, who have all recommended that we should be focusing more attention on financial literacy. There's

a recommendation that we need to upgrade our knowledge of financial literacy.

Indeed, the Organization for Economic Co-operation and Development's improving financial literacy survey concluded that financial understanding is low among consumers across the OECD countries, especially among those individuals who have less education and those at the lower end of income distribution, and so financial literacy is becoming an issue of very increasing of importance for people throughout the world and in Canada.

Part of the reason that financial literacy is important in Canada today is because Canadians are living longer. People are going to have to be able to save their money and they're going to have to understand their finances. As well, employment practices are changing in Canada. Financial products are becoming more complex and much more difficult for ordinary Canadians to understand. Regrettably, the personal savings of Canadians are decreasing while their level of personal indebtedness is increasing. So there is a need for all of us to become financially literate.

Our demographics are changing. We have an aging population in Ontario, and the life expectancy of Ontarians is increasing, so everyone is going to have to save more in order to be able to cover their living costs as they live longer into their retirement. Very few people today have pensions, so people are going to be required to save for their own years of retirement.

Now, the one good thing I can say is that up until recently the savings rate in Canada was better than it was in the United States. But regrettably, at the same time, savings rates in both countries have been declining. According to Statistics Canada, rates peaked at 20% in Canada in 1982. However, by 2005, the personal savings rate of Canadians had plummeted to only 1.2% of disposable income.

As I said before, this is all happening at the same time as Canadians are accumulating more debt. Indeed, consumer debt today is at an all-time high. Statistics Canada says the per capita debt of Canadians has risen more than five times over the last 25 years, from \$5,470 in 1980 to \$28,390 in 2005. Also, employment trends are changing, and as I've already pointed out, fewer people have pensions, fewer people have benefits and fewer people have access to long-term employment.

The experts are now telling us that Canadians are probably going to suffer from a lack of funds into their retirement years, so I think it becomes more important than ever that our students become financially literate as early as possible, capable of understanding all that goes on in the world of financial literacy and able to ensure that they can save for themselves into their retirement.

Earlier this year, the Canada Pension Plan said that Canadians are not saving enough for retirement. CPP CEO David Denison says that action is urgently needed, because unfortunately people aren't going to be able to maintain their current standard of living. Of course, CPP only provides a maximum of \$11,000 a year per recipient, and Denison tells us that that's only about a

quarter of what is needed during retirement. A 2007 study by the Canadian Institute of Actuaries indicated that 11 million Canadians don't have a company pension.

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Another trend that is taking place is that financial products are more complex. Just as today's world is complex, so is the financial world when compared to that of a generation ago. Forty years ago, a simple understanding of how you could look after your savings and chequing account was all that you needed. Now you have to differentiate between a wide range of consumer products and services and providers of those products and services. You have to understand credit as well as the impact of compounding interest, and also the implications if you mismanage your credit accounts. We are seeing the increase of financial products, and at the same time consumers are being given more choice with respect to fees, interest rates and maturities. It's very difficult for the average consumer to be able to assess the complexity and the choice of the financial products available to them.

For instance, let's take a look at the asset-backed commercial paper and the risk behind that. Very, very few people understood that. That, of course, is the financial product that enabled lenders to peddle their toxic mortgages to Americans. This is the same financial product that led to the downfall of the Wall Street investment bank Lehman Brothers and the nationalization of Fannie Mae and Freddie Mac. Let's hope that's behind us, but it certainly demonstrates what happens when not everybody is financially literate.

Financial literacy is a priority. It is a priority for us in the province of Ontario, and it's certainly a priority, as I've already indicated, because other governments, such as in Australia, the United States and the United Kingdom, are taking steps to make the consumer, make the student, more financially literate. We need to follow suit.

In Australia, they have an Understanding Money website that reflects a concerted attempt to support educators by developing curriculum materials, by establishing standards for quality materials and by adopting curriculum guidelines. It says, "Financial literacy is important for all young people to help them manage their personal finances in their increasingly complex, consumer-driven worlds."

The Commonwealth Bank Foundation commissioned research to find out how informed Australians were, and obviously they did come up with some findings that indicated more needed to be done.

I want to conclude my thoughts by simply saying that financial surveys from several countries show that the majority of children and adults learn how to handle their personal finances through trial and error. That is unacceptable in this day and age when you consider that 72% of Canadian youth today have a credit card, and many of these young people, who are freely given a credit card and receive it in the mail even before they begin their adult lives, also start to accumulate debt and are never, ever able to get out from under it.

If we want to ensure that our children will have a bright and a prosperous financial future, then we, as a government, must ensure that our children, at all levels, are given the opportunity to learn about finances and also how to plan their personal finances throughout their lives.

The Acting Speaker (Mr. Jim Wilson): Further debate? The honourable member for Willowdale.

Mr. David Zimmer: I am very pleased to support this resolution.

In our schools, when a student graduates at the end of their program in grade 12, they have studied social studies; they have studied gender studies; they have had courses in sex education; they have had courses in diversity studies; they have had courses in conflict resolution; they have had courses in family life. But one of the things they don't get is some training in what makes the real world go round, and one of the things that makes the real world go round is the use of money, of currency.

Why is that important? Because by the time the student graduates—and they might be 17 or 18 or 19, getting into their early 20s—they're in the adult world, they have jobs, they have some money, and now they have to deal with things like getting a credit card. If they get a credit card, then they should know things about what happens if you have a late payment on your credit card, how that triggers interest. That interest can be compounded. It can be simple interest. There are various other penalties. They get into the whole issue of making their first purchase, which might be an automobile, and they purchase the automobile on credit. Then they have to know all the things about credit and lease payments. As they get a little older and they start—hopefully, they'll want to get married and they'll want to buy a house. They've got to know something about mortgages and the affect of savings. Then they're starting to plan for their retirement, and they should know all of those things.

The fact of the matter is that the vast majority of people who graduate in our high school systems have no degree of sophistication, not even a minimal degree of sophistication, about how to manage their money. You know, there were children that grew up in families many, many years ago where there was kind of an etiquette around the family table and in the family that one did not discuss money matters. Typically, that was left to the father in the family. He dealt with the money issues. That's the sort of environment that I grew up in. Frankly, when I graduated from high school, I went on to university; I got a degree. I went on to law school; I got a law degree; I started practising law. And I still did not have the rudimentary knowledge of how to manage financial affairs.

There were some cases when I found out the hard way, when I had my first experience dealing with interest and mortgage payments and so on. When I reflect back, one thing that I would have dearly loved, in addition to all of the other studies that I had, was some training, some education, in financial literacy.

I think the ability to deal competently with money matters is one of the significant aspects of citizenship.

When we look in the paper, when we follow the news, when we read novels, when we see plays, how often do we see or how often have we heard stories where the family conflict or the relationship conflict is triggered by money matters? Really, a lot of that conflict could be eliminated, we'd have better citizens, if everyone had some core grounding in financial matters.

The Acting Speaker (Mr. Jeff Leal): Further debate?

Mr. Rick Johnson: I'm pleased to stand in support of this motion. I would like to thank the members from Mississauga South, Toronto-Danforth, Kitchener-Waterloo and Willowdale for the insights that they provided this afternoon.

As most of you know, I spent many years on school boards. I've talked to many parents and many trustees over the years who have recognized this as an issue that should be part of our curriculum, and I commend the member for Mississauga South for bringing this forward.

I have two children who are now in college, and it's remarkable to see—I guess, as parents, we tend to do too much for them—now that they're in college, the constant questions, e-mails: "What do I do here? What do I do there?" But they're getting it. It's coming around now.

There are big problems, as was mentioned earlier, with credit cards, where many of the young people who have credit cards, as they approach their limits, suddenly get their limits bumped up, which can lead to tremendous financial issues.

I urge with this, if we're developing curriculum, to take advantage of the knowledge that our teachers have in this area. It's one thing to say, "Let's do this"; it's another thing to actually do it. I trust that the teachers that the member for Mississauga South mentioned are supportive of this. I know that they will be able to do this. I have worked on many committees over the past few years with various teachers' federations. I know that Vivian McCaffrey from ETFO is here. We served on a violence-in-the-media committee, which had great coverage and great support across the province.

1520

Regarding what we can teach students, and the financial knowledge that will be out there, imagine a situation where we have a government introducing a new tax reform. Students will have the knowledge to be able to stand up and weed through the information that's coming at them and will be able to look when they hear someone saying that it could be a massive tax grab. They'll actually have the knowledge to go in, look at the tax reform that is being proposed, analyze it and see that it is good for the province. And do you know what? Knowledge is power for those people who have that knowledge of financial wherewithal to deal with it, because young people are the ones who are going to be successful in life.

Teaching children and our students about financial planning is crucial to their overall success in life. If you have that knowledge, the world is going to open up to you. Also, teaching them to make decisions, and how decisions can affect their lives—Barbara Coloroso, the author, had this great line that I heard years ago: "Make

sure you teach your children to make intelligent decisions, because someday they're going to have to make a decision about you, and you want to know that they're going to make that right decision."

Because credit is so easily available today, having that knowledge in the hands of the students I think is crucial. It will be tremendous for our ongoing society if the children have that knowledge of taxes and the ability to say, "You know what? These policies that are coming forward, in issues like the HST and other issues coming forward"—having that knowledge and the ability to stand up and say, "This is good," rather than having to rely upon what the media tells them I think will be good for our country and good for the future of our students. I'm very pleased to stand here today and support this motion.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Tony Ruprecht: I'm really delighted that the member for Mississauga South introduced this motion, because it affects every one of us. Financial statements are like an albatross around the neck of each one of us, and now certainly students. I thought, sitting here, how does this bill affect me personally and you personally? In fact, how does it affect every student personally in the schools? That's why it's important to introduce literacy that has a base in finances.

Two students from two different families go to the car lot and try to buy a car. One student is told, "The car you want to buy is going to cost you, in the end, \$12,500, including interest." The other student buys a similar car and he only has to pay \$9,800. They say to each other, "Wait a second. We're two students; one has to pay so much more, roughly \$3,000 more, than the other. Something is wrong. What is it?"

What we find out is that almost 45% of adults found an error on their credit report, from the spelling of their names to making an inquiry, which means they then have to pay much more interest. We're being very directly affected by this, and I think it's terrible that this one student had to pay almost \$3,000 more simply because of an error or because of the mother's financial history.

I have some other statistics that are of great interest. Guess what: 43.4% of the people of Canada have received a phishing contact, which means that someone is sitting out there on a computer trying to get your numbers, whether it is a birth certificate, whether it's a passport number, whether it's a credit card number or these kinds of private individual numbers to cheat you out of your money, to take your money away. Imagine that. That's 43.4%, and 6.8% have been victimized. In fact, they found on their credit card another item that they hadn't even purchased and they had to pay for it. In fact, I was victimized about six years ago. I found that someone in Texas had bought a computer. It wasn't my computer and I had nothing to do with it. If we don't even check, if we don't have the financial rudiments and ability to even check our credit cards and see what charges are on the credit card, we're going to be in big trouble. So I'm delighted, of course, to support this bill.

I want to tell you something else. What's important here is that we and the students understand the difference between a credit report and a credit score. The credit report is available to each one of us for free; it costs nothing. But if you wish to know your credit score, you have to pay \$21.95. Why is that? Why shouldn't that be free to us? So I make another recommendation to the member for Mississauga South: Let's also ensure that the credit score is open to everybody so we can know without having to pay the money for it.

It's terrible that we don't know our credit score. Why? Because whatever my credit score is, high or low, that will determine whether my loan for a car or my mortgage for a house is going to be thousands of dollars more on my credit card.

This is a really important motion. The financial rudiments, I say today to the member from Mississauga South, must be taught in an interesting fashion in the schools, and I thank him for introducing this legislation.

The Acting Speaker (Mr. Jim Wilson): Mr. Sousa, you have up to two minutes for your response.

Mr. Charles Sousa: I'd like to thank my colleagues from around this Legislature—the honourable member for Toronto–Danforth, who rightly said that we have to collaborate with teachers in putting forward an implementation of such a motion.

I'd also like to thank the honourable member for Kitchener–Waterloo for her recognition of the global and the macro implications that we're facing and how important such a motion would be in that respect, and that it is in fact a priority going forward.

Thank you also to the member for Willowdale for talking about preparation for our young students. I have three wonderful children going to school now, one in elementary, one in high school and one in post-secondary. We all want our children to be prepared and armed for success. And like the member for Haliburton–Kawartha Lakes–Brock said, knowledge is indeed power.

The member for Davenport, in talking about comparative shopping and the concerns about identity theft—again, education plays a role in enabling people to understand those issues. More importantly, the member spoke about credit scoring and students establishing a strong credit rating to prepare themselves for the future and understanding the implications of that credit score as they go forward.

I'd like to also thank the visitors to the gallery: Vivian McCaffrey, who is here representing the president, Sam Hammond, from the Elementary Teachers' Federation of Ontario—I thank them for their support in this motion; as well as Tom Hamza, the president of the Investor Education Fund, who has also provided support for the motion. I thank them both for being here.

As students leave school and enter the financial marketplace, they will be faced with a number of important and complex decisions. The goal of this resolution is to better prepare Ontarian students to make those decisions.

The Acting Speaker (Mr. Jim Wilson): We will vote on this ballot item in approximately 50 minutes.

FOREST INDUSTRY

Mr. Wayne Arthurs: I move that, in the opinion of this House, the government of Ontario should aggressively promote the use of Ontario wood products in residential and commercial construction throughout Ontario in order to support the more than 63,000 direct jobs and the 130,000 people who owe their livelihood to Ontario's forest industry.

The Acting Speaker (Mr. Jim Wilson): Mr. Arthurs moves private member's notice of motion number 110. Pursuant to standing order 98, the honourable member has up to 12 minutes for his presentation.

Mr. Wayne Arthurs: One might wonder, I guess, why a member who sits in the Toronto caucus and has one foot firmly planted in Toronto on one side of the Rouge Valley and the other foot firmly planted in Durham region and Pickering on the other side of the Rouge Valley would bring forward a resolution in regard to Ontario's forest industry.

I'm going to explain why that is in just a moment, but just prior to doing that, there are a few people I would like to introduce who have taken the time to join us here this afternoon: from Ontario Wood WORKS!, Marianne Bérubé, the executive director; Steven Street and Max Torossi, both technical directors. In addition, we're joined by Craig Marshall, the president and principal of Marshall Homes; and from my office, Bill Hepburn, who has been assisting in bringing the resolution together and bringing the folks here. Thank you for joining us.

Last month, in mid-summer, I had the opportunity to attend in Oshawa an event displaying a home that was being built by Mr. Marshall and Marshall Homes, one which was highlighting the fact that this particular home was being built with only Ontario wood products. That didn't seem to be overly significant to me at that point. I've known Mr. Marshall for some time. He does very good work in our communities. I understand the minister was going to be there, so I figured it would certainly be an opportunity to continue to show my support for work going on in our communities.

1530

Minister Gravelle was there, our newly minted Minister of Northern Development, Mines and Forestry in this case, along with other leaders with respect to the forest industry and related industries, including Jamie Lim, who's the president and CEO of the Ontario Forest Industries Association, and Stephen Dupuis, who's the president and CEO of BILD, the Building Industry and Land Development Association, as well as the folks from Wood WORKS!. They all took the time to be there.

One would say, "Why be at an event for a home being built in the greater Toronto area? What's so terribly significant about that?" During the event, the announcement really was about the fact that this particular home was a home being built with all Ontario wood. In Ontario, surprisingly, a large amount of the product that goes into homes and into commercial construction is from outside of the province. We have an industry in Ontario that's second only to the auto industry in significance in the

form of employment and generating revenue and activity in the forest industry, and yet the vast amount of materials that are being used in Ontario in homes and commercial construction come from somewhere other than here.

Today close to 200 families rely on the forest industry for their livelihoods. The forest industry remains second only to the automotive industry for its impact upon the province. There are some 300 Canadian communities that can be described as heavily forest-dependent, having at least 50% of their employment based in the forest-related industries, in the forest sector. Only about 30% of the product going into Ontario homes comes from Ontario, and it makes eminent sense that we should look and see what we can do to improve that situation.

In the GTA alone, home builders purchase some \$800 million of lumber annually to frame wood homes. If we move the figure of 30% of product to something closer to 100%, that could be a shot in the arm in this province for that industry, just from GTA building alone, of over \$500 million.

The residential sector is really only one part of the equation, because the non-residential or the commercial sector is significantly important. Ontario's non-residential construction represents about 42% of the national total of the non-residential and multi-storey permit value. That's a huge amount of construction here in the province of Ontario, and we're not using home-grown products for that purpose.

In 2007, the total non-residential market in Ontario was valued at some \$11 billion. The quantum in the scale are really very, very significant. For the most part in those sectors, both the residential and the commercial sector, we probably take it for granted that we're gaining an awful lot of that activity within Ontario industries. In fact, we're not. In fact, the majority of this is coming from somewhere else.

Some market research that was done only three or four years ago, in 2006, revealed that there's a potential to increase wood consumption by four times the current level here in Ontario for these particular kinds of functions we're talking about. Through some urban intensification and through the use of stick or wood construction for buildings at four, five and six storeys, if it were allowed, we could dramatically increase the amount of product that they would be using locally.

Currently, the Ontario rules, as I understand them, allow for wood frame construction to a maximum of four storeys. It was only a few years ago in my own riding of Pickering-Scarborough East that the Parkway Retirement Residence was built as a four-storey wood frame construction building, and I recall the discussion that we were having at that time within the municipality about building even at that height in wood construction. But now it's more the norm and certainly far more accepted.

There are other jurisdictions: Recently in BC, the building code made some changes that allow for frame construction of up to six storeys. You can see the dramatic impact that those kinds of changes can have on the opportunity to grow our industry.

We all know that wood is a renewable and recyclable type of product. It certainly adds value in the overall stream of activity.

Let me tell you a little more about Mr. Marshall if I can, just for a second. Mr. Marshall is known in the industry for his interest in sustainable building and for being on the leading edge of a number of types of initiatives. I want to speak just very briefly about a project in Oshawa a little bit distinct from wood, but which he undertook a couple of years back. That was probably the first residential subdivision in which there was an option to put geothermal in each house. I remember Minister Cansfield—who at the time was the minister, I think—was out to see what he was doing. He's looking for innovative ways, new ways to make both the building of and the use of housing more sustainable. He's probably the first builder who did a green driveway, which garnered a lot of attention as well. I understand the purchaser after a while wasn't really happy with all the grass that he was tracking in across his carpeting, as the case might be.

But Mr. Marshall doesn't miss an opportunity to promote the idea of sustainability in building. I think this is a particularly important opportunity that he has presented us with, with the support of the minister—who was there and who was very excited about what was being proposed—and with the industries: the Ontario forestry industry, Wood WORKS! and BILD, with their interest in working together to find out how they can do more at the industry level to get builders and purchasers aware of opportunities to use Ontario products.

I think there is an opportunity for us, through this process, this resolution here in this House, to encourage the government, to encourage the minister through his policy structure to be far more aggressive, to take a very aggressive approach, in promoting Ontario wood products in the building of residential and commercial construction. It really is an opportunity that we're being presented with.

During the course of the presentation on that particular day—it was a very warm summer afternoon, as I recall—not only did I have the opportunity to attend along with the minister, but one of our generically local Durham-area MPs joined us, as well as the mayor of the city of Oshawa, John Gray, and a couple of his councillors. There's certainly a lot of political interest federally, municipally, and I would suggest as well here, provincially, in trying to encourage the use of Ontario wood products, particularly at a time when we need to support the forest industry in all possible ways that we can, at a time when we all know one of our primary mandates as government and in the Legislature is to do all the work necessary to build job opportunities here in the province of Ontario. This is one of those opportunities. This is one of those opportunities to do things closer to home than we might otherwise, so no one has to question why we're going to be importing wood products, whether it's from a neighbouring province, across the country or from outside the country, when we have such a rich resource here in the province of Ontario.

I know during my time here in the past six years, there have been a number of government-related initiatives to support the forest industry, everything from matters around stumpage fees, as an example, to some direct loan provisions when companies were finding difficulty. We know the forest industry is having difficulty worldwide, in paper and pulp and elsewhere. We should be taking the opportunity when it gets presented to us to reinforce and support local industry here in the province of Ontario.

Mr. Marshall in particular, through this initiative with the support of the building industry and those who work in the wood industry, has put before us an opportunity to say to government and encourage government to promote the use of our own products, to work with the industry to make sure they're producing the product that builders can use.

I understand one of the challenges that was faced when Mr. Marshall went out and wanted to build this home at first was finding that he couldn't source the product he needed because some of the product that was being made didn't quite fit the standard, didn't fit the length size. They were not producing in a format that was really conducive to a larger scale for residential construction or even commercial construction. So there's a lot of work to be done between the industry, the builders and the forest industry to make things work, but I think we can play a big part in that. If people start asking the right questions in purchasing a home or doing commercial construction, if they start asking the questions about whether or not this particular home has a lot of, if not all, wood product from the province of Ontario, their home province, where they raise their families and where they have their jobs—it's one of those things where people start asking those questions. It's an incentive, then, for the industry, obviously, to do what it needs to do to make sure they meet that demand.

1540

I'm pleased to be able to bring this resolution forward this afternoon. I'm hoping, during the course of the debate, that we'll see support for the resolution and have an opportunity to encourage government to be more aggressive in its promotion of that product.

I want to again thank those who have taken the time to join us here this afternoon, not just for being here but for this particular initiative and the work they're already doing behind the scenes, away from this place, in their responsibility, in their work framework to be able to support an initiative like this.

If government can lend its hand to the process, all the better. I know the minister is keenly interested in this type of initiative. I don't think this is something that would necessarily engender legislative time for the minister, but it's something, through a resolution of this House, that could certainly encourage him and his policy folks to look seriously at the aggressive promotion of wood products for residential and commercial building in Ontario.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Norm Miller: It's my pleasure to speak to this resolution, which supports the use of Ontario wood products in residential and commercial construction. I will say right off the top that I support the motion. I'm pleased to see Wood WORKS! here today, taking part in the afternoon. I've had the pleasure in the past of attending their annual big gala event where they recognize buildings that have been built primarily out of wood, and I'm happy to say that—I think the event I went to, the Stockey Centre in Parry Sound was recognized, the year that I had the pleasure of attending their big event to help promote Wood WORKS!.

It does give me an opportunity to talk about some of the failings of the government as well, however, because as a past MNR critic I've been calling on the McGuinty government to do more for the forestry sector for many years now. This is certainly an example of something that the government could have been doing but has failed to do. We only need to look at what has happened to the sector since this government took office. Northern forest communities have lost 32,000 direct and indirect jobs since the McGuinty Liberals took over in 2003, and northern Ontario jobs and communities have fallen prey to the government's inaction to take corrective measures.

As the member mentioned, I too have heard of builder Craig Marshall and am pleased and particularly happy to read about his actions, where he has built a home using only Ontario wood products as a way to show support for the province's forestry industry and to encourage builders in the greater Toronto area and elsewhere in the province to do the same. If all the GTA builders did it, it would be a \$500-million boost to the Ontario forestry sector for wood framing material. GTA home builders purchase about \$800 million of lumber annually to frame wood homes, and it is estimated that 70% of that lumber comes from outside of Ontario. Obviously, if we can encourage them to build from Ontario wood, it would be a real boost to the economy of Ontario, particularly northern Ontario.

The Ontario Forest Industries Association says that the industry directly or indirectly affects over 275,000 families and also generates over \$14 billion in revenue from manufactured goods. That was from 2007. While some log and timber frame home builders in the province use only Ontario wood, very few, if any, subdivision builders use wood sourced within the province. So I commend Mr. Marshall for leading the way in the industry.

I'm sharing my time with the member for Simcoe North. I've got more notes than I have time to get on the record but I would like to get on the record because it's so relevant to what's going on in the forestry sector.

The most recent version of *The Working Forest*, the fall edition that just came out, points out that industry recommendations are ignored in forestry realignment. What they're talking about is that the Ministry of Northern Development and Mines is now the Ministry of Northern Development, Mines and Forestry. Unfortunately, the government has not listened to the industry's recommendations on how that should be done. As it

points out, the Ontario Forest Industry Association is questioning how the new Ministry of Northern Development, Mines and Forestry can enhance the forest economy when the guiding legislation still rests with the Ministry of Natural Resources; that is, the Crown Forest Sustainability Act is staying with MNR. So it just won't work.

Jamie Lim, who is with OFIA, "pointed out that just three years ago, the Ontario government acknowledged a need to 'reduce red tape' which was one of the recommendations in the Ministers Council on Forest Sector Competitiveness.

"The division of responsibilities for forestry between MNR and MNDMF laid out by the Ontario government is inconsistent with that objective, she added.

"It's a piecemeal approach filtered through two ministers and two ministries. This just got more complex for the forestry industry, said Lim.

"The OFIA also expressed uneasiness about a quote Natural Resources Minister Donna Cansfield made as part of the government's announcement.

"This realignment allows us to focus even more on our role of ensuring that our forests remain healthy,' Cansfield said in a government release."

The OFIA took exception to that.

"Scott Jackson, the OFIA's manager of forest policy questioned this remark.

"It suggests to us that the MNR and people who work in the industry have not been looking after the health and sustainability,' he said. 'Managing our forests for long-term ecological health has been the law under the Crown Forest Sustainability Act for over 15 years and has been a primary focus for our sector long before then.... The suggestion that somehow sustainability wasn't being achieved in the past is an insult to those within government and industry, including our professional foresters, who have spent their careers developing the best forest management system in the world.'

"Lim also viewed Cansfield's remark as ominous.

"Clearly we believe there is a reason for this realignment and it's because there is a "green" culture in the MNR and they'd be very pleased to carry on their role without industry being a filter they have to work through."

Lim added that "all these pending initiatives have contributed to an environment of uncertainty."

That's what is happening on the ground. That's from this month's The Working Forest. There's a climate of uncertainty out there. This realignment of ministries is not helping on the ground.

To get back to this resolution, obviously we support the use of Ontario wood products within the economy of Ontario. It is a very important industry, not only to northern Ontario but to the whole province—as was mentioned, some \$14 billion. I look forward to supporting the resolution and, as I said, I will leave half the time to my colleague. Thank you.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Peter Tabuns: Mr. Arthurs has put forward a motion: "That, in the opinion of this House, the government of Ontario should aggressively promote the use of Ontario wood products in residential and commercial construction throughout Ontario in order to support the more than 63,000 direct jobs and the other 130,000 people who owe their livelihood to Ontario's forest industry."

I want to start by saying the reality is that forestry is not a thing of the past. In our economy—I don't just mean Ontario's economy but the global economy—forestry properly done on a sustainable basis that respects biological limits and also respects the need of communities to have good-paying income, is something that should be and could be with us for a very long period of time.

You should be aware, Speaker, that there is a substantial problem with the state of the forestry industry here in Canada, and I assume that's the reason Mr. Arthurs has brought forward this resolution. In January 2009, after Ontario had lost over half of its pulp and paper and board mills, there were 396 mills operating in the United States. In 2005, there were 438 pulp and paper and board mills in the United States. We have had a precipitous decline in the number of facilities in operation in Ontario. We had seen huge drops in income, in good-paying jobs.

The reality is that in the United States they have had a much smaller hit. Pulp and paper mills accounted for 126,000 direct jobs in 2009. Things are far worse here than they are in the United States. It appears that the forest sector is leaving Ontario, because substantial mistakes have been made around government policies, around investment and around commitment to having a sustainable forest industry in Ontario.

I don't have a problem with Mr. Arthurs and his suggestion of a promotional strategy when it comes to wood products, but you need more than a promotional strategy. You need an effective, coherent policy for ensuring that sustainable forestry remains part of the economy of this province.

1550

First of all, there's no question that we need more value-added jobs in the forestry sector. Years ago, I had an opportunity to attend a conference in the United States talking about the sustainable use of forestry and the maintenance of jobs in the forest sector. In the United States, there is a very large industry that takes Canadian lumber, or has taken Canadian lumber, and used it to make prefabricated walls, roofs and housing components. What they have in that operation is an extraordinarily small amount of waste and a very large amount of labour. An investment in that kind of value-added industry, using our raw materials, would put Ontarians to work. We need a commitment on the part of the government to make those investments, so that those factories are here, the products are made here and the jobs are created here.

In forestry, value-added wood manufacturing is the process of adding value to commodity wood products.

Instead of shipping raw lumber to export markets, wood is manufactured into valuable items—as I've said, pre-fabricated homes, roof joists, office furniture. Value-added wood products can include remanufactured goods, hardwood flooring, doors, engineered wood products, cabinets, furniture, pallets, containers, plywood and a wide variety of other wood products. There's tremendous opportunity for us if we have a coherent policy as a province to look at how we can take raw materials that have to be treated sustainably—you can't over-harvest or you undercut your future. Raw materials treated properly can give us an awful lot of work in Ontario.

Increasingly, commodity harvesting of wood in Ontario is automated and mechanized. I understand the logic of that, but it means there is far less work now in the actual harvesting. If we're going to retain jobs in Ontario's woodlands, then the work is not going to be at the harvesting end; it's going to be at the processing end; it's going to be at the manufacturing end. If we have the thought, the skill, the commitment in Ontario to actually create those employment opportunities, we can keep people working, and we can do it without harvesting more wood. We can do it by making sure that every piece of wood that's harvested is processed here in Ontario using Ontario labour.

In Europe, their experience shows that value-added manufacturing doesn't have to take place close to consumer markets to be successful. If you look at northern Ontario, it has many similarities to Norway, Sweden and Finland—similar forest types, similar commodity products, similar distance from major markets—and yet Scandinavian countries have a thriving value-added sector.

Denmark—not exactly a forested place—has a very strong wood manufacturing sector. It's part of the Nordic region. It takes advantage of that raw material, adds labour and makes products that can be sold around the world. That strategic approach—a willingness to invest, a willingness to understand that the jobs have to move from harvest to processing and manufacturing—has got to be the centre of how we deal with the wood industry and the logging industry in Ontario.

We also need an industrial hydro rate that will make it economically attractive for large-scale processing to take place in this province. Energy costs are a big part of what companies see as their overall cost structure. I have to say to this government and to others who look at the energy question that when you make a deal, when you make an offer to have lower energy costs, then you have to be prepared, if you're responsible, if you're looking to the future, to ask for contributions and say to a company, "We will give you a hydro cost that will make your operations far more economically viable and make Ontario far more attractive. On the other side, what we want from you is investment in the community, stability when it comes to job creation and investment in energy efficiency, so that what we're getting from you are direct benefits to the community and a reduction in power demand, even though you're getting a better price."

Ultimately, for this province, we're going to have to make that deal.

Some people want to make a deal with business where we simply cut taxes and say, "Come in here. You don't have to contribute to building the social infrastructure of this province." I think it makes a lot more sense to say, "We will make a vital input available to you at a cost that will make you competitive if you are willing to make investments in community and in energy efficiency. Those things will help us have an energy system and an electricity system that are sustainable in the long run and help you avoid volatile and difficult energy costs in the future."

Many European countries and some US states have an industrial rate. In Denmark and Germany, industrial rates are generally half of residential rates. We will see what happens with the new coalition government, but Germany has had a history of pioneering on energy efficiency and renewable energy. They have very high social service costs, they have very high wage costs, but their provision of a lower-cost industrial rate means that that country is one of the leading exporting centres in Europe. For this province, we should take advantage of the fact that we have large volumes of low-cost hydraulic power in the north that could make our industrial development far more attractive. Make that deal with companies, a quid pro quo, and develop a thriving high-wage sector in this province.

I understand why Mr. Arthurs is moving the idea of promoting Ontario wood products, but I say to you, it isn't just a question of promoting; it's also a question of having a strategy in terms of value-added manufacturing and a strategy with regard to electricity costs.

I'll throw in a third component, and that is that, in the course of the hearings on the Green Energy Act, we heard very credible testimony that the energy efficiency standards in the building code are not being enforced in this province. If you are concerned about energy efficiency, if you want to make sure that buildings have the labour and the materials in them that, over the long run, will cut their operating costs, then this government should in fact start enforcing the laws that are on the books.

I raised this issue in the committee hearings; I raised this issue with the minister. What I got was, "It's another ministry's responsibility." I'll say to you right now, if you are not making sure that those laws are enforced, then (a) you're undermining the sustainability of this province, and (b) you're undermining the potential for job creation because energy efficiency and conservation is simply the application of labour power and materials to substitute for fuel.

I think building with wood makes a lot of sense. It's a good material; it's an excellent material. Let's build with it. Let's use provincial purchasing power when we're building public buildings, social housing, to make sure that we intelligently use wood components in those buildings and use them in a design and a construction that cuts our energy use. We grow wood here; we don't

make oil. If we use the wood we have here to build buildings that are energy-efficient, we keep money in Ontario and we don't import oil from Nigeria, Algeria, the North Sea or Alberta. That makes sense to me. If you're going to promote wood use in this province, I want you to think in a bigger way about all the opportunities for using our labour and materials to substitute for what we import from other places.

I'm running out of time. I want to say that I think it makes sense for us to promote use of Ontario wood products. It makes sense for us to use our purchasing power to do that. It makes sense for us shape policies to ensure that northern Ontario continues to have a viable growing economy. I look forward to the rest of the debate.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Khalil Ramal: I'm pleased and honoured to stand in my place to speak in support of the resolution which was introduced a few minutes ago by my colleague the member for Pickering-Scarborough East, who asks the government to aggressively promote the use of Ontario wood, because this issue is very important, not just for certain communities but for the whole province. Almost 130,000 people rely heavily for their livelihoods on these products, and more than 63,000 direct jobs will be affected by this industry. So it's important for all of us.

1600

I've been here for the last six years. On a regular basis, my colleague Bill Mauro and many other colleagues from both sides of the House talk about the industry in the north and how much this industry was affected—especially after the economic situation in the United States, because we used to export a lot of products to the United States. I was reading some notes I was given by my colleague Mr. Arthurs about how important it is for our economy: we consume almost \$11 billion of wood products in the province of Ontario on a yearly basis, and 70% from the \$11 billion comes from outside of Ontario. Can you imagine if we were using \$11 billion from wood products we have in Ontario? It would be amazing for the forest industry. It would be amazing for our economy.

I was shocked when I learned that Toronto uses, on a yearly basis, almost \$800 million of wood, and the majority of that percentage comes from outside of Ontario. Of course, my colleague outlined the importance of these issues and outlined how much importance they have for industry and creating or maintaining jobs in the north, because almost 300 communities in the north of Ontario depend heavily on the forest industry.

So, most importantly, I think it's how we can protect our forests, our communities and our economy in this province. He indicated in his speech—I think it was a very important speech—that this industry is a renewable industry. We have the biggest stock in the world: we have almost 42% of the national total, and 10% to be used for the housing industry or the commercial industry in this province.

We have good-quality wood, but most importantly, how can we promote this industry? How can we aggressively go and convince the construction companies—like the honourable gentleman who came to witness the debate in the House—to purchase products from Ontario? Maybe, as the member from Pickering-Scarborough East said, the building code will be changed to allow builders to go from a four-storey to a six-storey level, and this will consume more wood.

I want to tell the member from Pickering-Scarborough East that I renovated my house in the last two weeks. I have tried as much as possible, when I go to buy the wood—frame wood and subfloor and everything—to make sure this is made in Ontario, because it is important to me. Because I live in Ontario, it's my duty and obligation to support the people who live in this province, who work very hard to provide food for their families.

Since we have an almost huge forestry space in the province of Ontario, I think this forest industry can be renewable and also can protect the environment, because whatever we use from this forest is better than plastic, better than metal, better than any other material being used right now in this industry.

So I want to congratulate the member. I want to tell him I'm going to support this bill, and I hope all the members from both sides stand up in their places and speak in support, because it very important to protect our forests in Ontario.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Garfield Dunlop: I certainly hope every member in this House would want to support this resolution: "That, in the opinion of this House, the government of Ontario should aggressively promote the use of Ontario wood products in residential and commercial construction throughout Ontario in order to support the more than 63,000 direct jobs and the other 130,000 people who owe their livelihood to Ontario's forest industry."

I think we tend to forget just how important things like mining and forestry are to the economy of our province, the same as I think we quite often forget about how important agriculture and tourism are to the economy of our province.

I'd like to first of all just welcome all the folks who are here today to witness this debate. I know you've probably come from distances just to see this type of a debate, but really, in the end, I hope what we're saying to you is that there should be a better strategy. There has to be more done as far as I'm concerned and as far as I think our critic is concerned.

Maybe we can start right with some of the government projects. If we wanted to play out a strategy—obviously the government has put forward a lot of infrastructure money, along with the federal government; there is a lot of social housing money—perhaps in the future we can make the criteria around the approval of those projects by using lumber that has been grown here and processed here in the province of Ontario.

You only have to travel through northern Ontario—in fact, you don't even have to travel through northern

Ontario. Mr. Speaker, right here in our county—the Speaker and I share the same county, Simcoe—we have 31,000 acres of county forest. The county has a fairly aggressive campaign each year to tender out X number of acres of forestry. I don't know if they call it acreage or it's the number of tonnes or how many logs—truckloads of lumber, anyhow. In the end, a lot of the lumber companies that purchased that lumber in the past have been from northern Ontario—the Tembecs and the Grants. But we also have, in Simcoe county, companies like Robert Richie Forest Products and Green's forest products. These are all companies that rely on that forestry industry. Each and every one of them buys a lot of equipment and employs a lot of people. These are even the small companies. So it's very important, as we move forward, that we put out a stronger strategy than ever to promote forestry products in the province of Ontario.

As I mentioned a few moments ago, I was in estimates yesterday, and the Minister of Municipal Affairs and Housing was mentioning how many housing units we're planning on building here in the province of Ontario. Something like 10,000 units are being built in the next couple of years. I don't think there are any project requirements that would suggest we might have to use lumber that came from Ontario. That could go even further: We could look at things like kitchen cabinets, the doors that are built for housing in our homes, and maybe we can put that in our government projects as well.

Overall, though, we have to look at things like the cost of hydro. I've got a list here of all the different companies that have gone out of business or have lost jobs. They have just basically devastated many communities in northern Ontario. I was up to northern Ontario earlier in the spring. I went on a three-day fishing trip into a little community near Earlton. I was talking to the owner of the fishing and hunting camp, and he said, "Our business is down so bad, and no one seems to care about northern Ontario." He said, "We hear about all these tourism strategies but nothing concrete ever seems to happen." Many people, not only in the tourism sector but in the forestry sector, are being affected as well.

I think you've got a big challenge ahead of you. Basically the people around you are the people who are going to have to support you on this resolution, Mr. Arthurs. I think it's a positive resolution because I think in the end we have to support northern Ontario; we have to support the possible jobs that can be created there. Whether it means a new strategy around hydro, a new strategy around marketing our wood products, or new strategies around how we support the forestry industry in economic development, I think we have to take a serious look at that. Without that leadership from the province of Ontario, I think that the industry is only going to have a further decline.

I wish you well in your resolution. I think that the government should adopt something. Perhaps it's not too late to save this industry. In the next provincial budget maybe there could be a new strategy laid out that would indicate that we could strengthen the forestry industry in

Ontario. That leadership would come right from Queen's Park, right from the provincial government and from all the folks that would support it.

I look forward to that debate in the House and I look forward to seeing some of your ideas and some of your strategy in the provincial budget next spring.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Pat Hoy: I'm pleased to rise in support of this motion put forward by the member from Pickering-Scarborough East. In part, it reads "that, in the opinion of this House, the government of Ontario should aggressively promote the use of Ontario wood products in residential and commercial construction," and it goes on from there.

I really wonder how many people in Ontario have given this thought, that this is not the fact. I've learned from the member that few, if any, subdivision builders are just building with wood sourced from within the province. I suspect that most people who purchase a home or have additions put on their home, or do renovations, believe that the wood came from Ontario. We are a great producer of wood products here in our province. I find it disconcerting that this isn't the case, and I'm glad that the member has brought this forward.

1610

Some of the statistics going with this thought would be that the GTA home builders purchase about \$800 million of lumber annually to frame wooden homes, and of that it is estimated that 70% comes from outside of Ontario.

So I think we have an excellent motion put forward, that we should support this industry which employs some 63,000 direct persons, and of course the spinoffs from primary industries like forestry are huge: 130,000 people owe their living to the forest industry itself, and I suspect there are more spinoffs than that.

I'm from a primary industry, agriculture, and we try to promote that, much the same as what the member is asking for here. As a matter of fact, the government has taken up that challenge, and we help with the promotion of our own farm market stands, farm markets, Buy Ontario in our grocery stores and restaurants. So it's something the government has initiated in the agricultural sector, and I think it's only wise that we would do that here in the forest industry.

We need not worry about using up all of our wood products, should this come to be. We are rich in our forestry industry. Research has revealed that there is a potential to increase our wood consumption by four times its current level. We are going to have plenty of forest and trees into the future. I know that forest management is something the industry takes very seriously. The government does as well, via regulation and support to them, to maintain and keep those forests in good health.

Wood, of course, is a renewable and recyclable resource, something that is very positive to our whole culture here, to our environment. Increasing the percentage that is used in our homes here in Ontario—I applaud the member for bringing this forward and ensuring that in

the future. Ontario has forest over 50% of our land mass, so we have lots of room to promote and to build, to provide for jobs and to support this very vital primary industry here in Ontario.

I'm pleased to have the opportunity to speak to this primary industry and to support the motion that is put forward today.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Jeff Leal: It is indeed a pleasure to have the opportunity this afternoon to say a few words in support of the resolution that has been brought forward by my good friend the member from Pickering-Scarborough East.

It's interesting to get on the record. In Peterborough we have some exceptional home builders I've gotten to know over the years. We have Pat Cleary of Cleary Homes, Paul Dietrich of Parkview Homes and Brian Fenton of Peterborough Homes, and I think by and large, when people buy new homes from those very distinguished and reputable builders in Peterborough, they often think that all that lumber, or a large percentage of that lumber, comes from the province of Ontario, and indeed that is not the case.

I think it's incumbent upon us all. There has been lots of renovation work going on because of the federal government's home renovation tax credit, which I think was a very good measure, and of course that was seen as a way to stimulate a particular sector of the economy. I've been in northwestern Ontario—in Dryden, Kenora and other communities—and we've seen first-hand the decline in the forestry industry for a variety of factors. We watched the dollar go from 63 cents to par, and of course that had a dramatic impact on the forestry industry. And frankly, the decline of people reading newspapers, the major newspapers of the world now. We think of the Washington Post, the Chicago Tribune, major newspapers here in Canada. Canwest: Part of their financial problem is they went out and acquired a number of major newspapers from Conrad Black, and because people are now reading online, there's the decline of that particular market.

So we're looking at ways to enhance the forestry industry in the province of Ontario, and one of the ways we can do so is to make sure that we buy Ontario wood products.

I'll give you a good example right in my neighbourhood. My neighbour on Manie Avenue, a fellow by the name of James Murphy, a very distinguished and reputable hardwood construction person in my riding—he owns Classic Hardwood—was telling me about people who go to auctions to purchase hardwood. They think they're getting a bargain. They buy this hardwood at a very cheap cost, and they put the hardwood in their homes themselves. But this hardwood that's purchased through these auctions often comes from foreign sources. Much of it is warped by the time it gets to the auction sale. Mr. Murphy, in his business, often goes around to these homes in my riding to replace these hardwood

floors that people have bought, this rather inexpensive hardwood. His case in point when he's talking to these individuals is that they could have saved themselves a lot of cost and a lot of grief if they had just gone out in the first place and bought Ontario hardwood, which is in abundance in the province of Ontario—and I shouldn't be promoting his business over others in Peterborough—but to give Jim Murphy a call at Classic Hardwood to put their hardwood into their stores. That's a good example of how local decisions can have a tremendous impact on an industry and local lumber.

When you go into Rona and Home Hardware and Home Depot—their slogan, “You can do it. We can help”—we should really take the opportunity to look at those stickers that appear on plywood and two-by-fours and other basic building products to make sure it's made in Canada but, better, that it's produced in the province of Ontario.

The Acting Speaker (Mr. Jim Wilson): Mr. Arthurs, you have up to two minutes for your response.

Mr. Wayne Arthurs: First, I certainly want to thank all the members who spoke to the resolution, not only for indicating their support but particularly where they explored beyond the specifics of the resolution as to how Ontario can do better in promoting the use of wood products in those fashions, and the other opportunities, whether it's on the energy conservation side, whether it's expanding that context as it relates to the industry.

I particularly want to thank again those who are here this afternoon for the partnership they've already built to make this a reality. I think our opportunity here in the province with this resolution is to say to government that we need to be a partner with the industry. We need to partner with the forest industry, with woodworks, with the building industry, on this type of initiative so that the public can become more aware of the choices they make and bring to bear the consumer initiatives that will help the industry, will help the builders, use Ontario products as a preferred option.

I think some comments about opportunities through infrastructure and the like where, if that presents itself, governments should be showing leadership in that regard by using Ontario wood products—I think that's something that we should be seriously looking at. I hope that the minister will look at that. I know he's keen on this as an initiative.

There were comments made about the opportunities that exist within the building code—maybe to follow BC's lead in the context of raising the bar, so to speak, allowing for increased heights in stick building, as it's called. I hope that's something that the minister, through this resolution and the comments here, would want to look at as well.

I believe there are a lot of opportunities. In the final analysis, though, the leadership that has been shown by those already doing the job on the ground, and to the extent that we can offer our support in that regard, through government, to support their initiatives by pro-

moting what they're doing, promoting those opportunities, I think is a good thing for us to do, is a good thing for jobs in Ontario, and is good for the Ontario economy.

The Acting Speaker (Mr. Jim Wilson): Thank you. The time provided for private members' public business has now expired. It's now time to vote.

LABOUR RELATIONS
AMENDMENT ACT
(REPLACEMENT WORKERS), 2009

LOI DE 2009 MODIFIANT LA LOI
SUR LES RELATIONS DE TRAVAIL
(TRAVAILLEURS SUPPLÉANTS)

The Acting Speaker (Mr. Jim Wilson): We will deal first with ballot item number 34, standing in the name of Mr. Kormos.

Mr. Kormos has moved second reading of Bill 86, An Act to amend the Labour Relations Act, 1995. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

This will be a recorded vote, and we'll call in the members after we deal with the next two ballot items.

FINANCIAL LITERACY

The Acting Speaker (Mr. Jim Wilson): We'll now deal with ballot item number 35.

Mr. Sousa has moved private member's notice of motion number 109. Is it the pleasure of the House that the motion carry? Carried.

Motion agreed to.

FOREST INDUSTRY

The Acting Speaker (Mr. Jim Wilson): We'll now deal with ballot item number 36.

Mr. Arthurs has moved private member's notice of motion number 110. Is it the pleasure of the House that the motion carry? So carried.

Motion agreed to.

The Acting Speaker (Mr. Jim Wilson): Call in the members. This will be a five-minute bell.

The division bells rang from 1621 to 1626.

LABOUR RELATIONS
AMENDMENT ACT
(REPLACEMENT WORKERS), 2009
LOI DE 2009 MODIFIANT LA LOI
SUR LES RELATIONS DE TRAVAIL
(TRAVAILLEURS SUPPLÉANTS)

The Acting Speaker (Mr. Jim Wilson): Mr. Kormos has moved second reading of Bill 86. All those in favour of the motion will please rise and remain standing until recognized by the Clerk.

Ayes

Bisson, Gilles
Gélinas, France
Hampton, Howard
Horwath, Andrea

Kormos, Peter
Levac, Dave
Marchese, Rosario
Miller, Paul

Prue, Michael
Tabuns, Peter

The Acting Speaker (Mr. Jim Wilson): All those opposed to the motion will please rise and remain standing until recognized by the Clerk.

Nays

Arthurs, Wayne
Balkissoon, Bas
Berardinetti, Lorenzo
Best, Margaret
Cansfield, Donna H.
Colle, Mike
Dhillon, Vic
Duguid, Brad
Fonseca, Peter

Jaczek, Helena
Jeffrey, Linda
Johnson, Rick
Klees, Frank
Lalonde, Jean-Marc
Mangat, Amrit
Miller, Norm
Moridi, Reza
Phillips, Gerry

Rinaldi, Lou
Ruprecht, Tony
Sergio, Mario
Sousa, Charles
Takhhar, Harinder S.
Wynne, Kathleen O.
Zimmer, David

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 10; the nays are 25.

The Acting Speaker (Mr. Jim Wilson): I declare the motion lost.

Second reading negatived.

The Acting Speaker (Mr. Jim Wilson): Just before I call orders of the day, I take this opportunity on behalf of all of us to once again thank the pages for their weeks of service here—

Applause.

The Acting Speaker (Mr. Jim Wilson): —and to wish everyone a happy Thanksgiving.

Orders of the day?

Hon. Brad Duguid: I move adjournment of the House.

The Acting Speaker (Mr. Jim Wilson): Mr. Duguid has moved adjournment of the House. Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until Monday, October 19, at 10:30 a.m.

The House adjourned at 1628.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.

Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Aggelonitis, Sophia (LIB)	Hamilton Mountain	
Albanese, Laura (LIB)	York South–Weston / York-Sud–Weston	
Arnott, Ted (PC)	Wellington–Halton Hills	
Arthurs, Wayne (LIB)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (LIB)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
Bartolucci, Hon. / L'hon. Rick (LIB)	Sudbury	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels
Bentley, Hon. / L'hon. Christopher (LIB)	London West / London-Ouest	Attorney General / Procureur général
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
Best, Hon. / L'hon. Margaret R. (LIB)	Scarborough–Guildwood	Minister of Health Promotion / Ministre de la Promotion de la santé
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	
Bradley, Hon. / L'hon. James J. (LIB)	St. Catharines	Minister of Transportation / Ministre des Transports
Broten, Hon. / L'hon. Laurel C. (LIB)	Etobicoke–Lakeshore	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse
		Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
Cansfield, Hon. / L'hon. Donna H. (LIB)	Etobicoke Centre / Etobicoke-Centre	Minister of Natural Resources / Ministre des Richesses naturelles
Caplan, David (LIB)	Don Valley East / Don Valley-Est	
Carroll, Hon. / L'hon. M. Aileen (LIB)	Barrie	Minister of Culture / Ministre de la Culture
		Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
Chan, Hon. / L'hon. Michael (LIB)	Markham–Unionville	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
Chudleigh, Ted (PC)	Halton	
Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
Crozier, Bruce (LIB)	Essex	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée
		Deputy Speaker / Vice-président
Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
DiNovo, Cheri (NDP)	Parkdale–High Park	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-présidente du Comité plénier de l'Assemblée législative
Dombrowsky, Hon. / L'hon. Leona (LIB)	Prince Edward–Hastings	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Duguid, Hon. / L'hon. Brad (LIB)	Scarborough Centre / Scarborough-Centre	Minister of Aboriginal Affairs / Ministre des Affaires autochtones
		Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
Duncan, Hon. / L'hon. Dwight (LIB)	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement
		Minister of Finance / Ministre des Finances
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Flynn, Kevin Daniel (LIB)	Oakville	
Fonseca, Hon. / L'hon. Peter (LIB)	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Labour / Ministre du Travail
Gélinas, France (NDP)	Nickel Belt	
Gerretsen, Hon. / L'hon. John (LIB)	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / Ministre de l'Environnement
Gravelle, Hon. / L'hon. Michael (LIB)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development, Mines and Forestry / Ministre du Développement du Nord, des Mines et des Forêts
Hampton, Howard (NDP)	Kenora–Rainy River	
Hardeman, Ernie (PC)	Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoskins, Eric (LIB)	St. Paul's	
Hoy, Pat (LIB)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
Jaczek, Helena (LIB)	Oak Ridges–Markham	
Jeffrey, Linda (LIB)	Brampton–Springdale	
Johnson, Rick (LIB)	Haliburton–Kawartha Lakes–Brock	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
Kular, Kuldip (LIB)	Bramalea–Gore–Malton	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Jean-Marc (LIB)	Glengarry–Prescott–Russell	
Leal, Jeff (LIB)	Peterborough	
Levac, Dave (LIB)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (NDP)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
Matthews, Hon. / L'hon. Deborah (LIB)	London North Centre / London- Centre-Nord	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
Mauro, Bill (LIB)	Thunder Bay–Atikokan	
McGuinty, Hon. / L'hon. Dalton (LIB)	Ottawa South / Ottawa-Sud	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Premier / Premier ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario Minister of Consumer Services / Ministre des Services aux consommateurs
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McNeely, Phil (LIB)	Ottawa–Orléans	
Meilleur, Hon. / L'hon. Madeleine (LIB)	Ottawa–Vanier	Minister of Community and Social Services / Ministre des Services sociaux et communautaires Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
Milloy, Hon. / L'hon. John (LIB)	Kitchener Centre / Kitchener-Centre	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Carol (LIB)	Huron–Bruce	
Moridi, Reza (LIB)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	
Oraziotti, David (LIB)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener–Conestoga	
Peters, Hon. / L'hon. Steve (LIB)	Elgin–Middlesex–London	Speaker / Président de l'Assemblée législative
Phillips, Hon. / L'hon. Gerry (LIB)	Scarborough–Agincourt	Chair of Cabinet / Président du Conseil des ministres Minister Without Portfolio / Ministre sans portefeuille
Prue, Michael (NDP)	Beaches–East York	
Pupatello, Hon. / L'hon. Sandra (LIB)	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / Ministre du Développement économique et du Commerce
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (LIB)	London–Fanshawe	
Ramsay, David (LIB)	Timiskaming–Cochrane	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Runciman, Robert W. (PC)	Leeds–Grenville	Opposition House Leader / Leader parlementaire de l'opposition officielle
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
Smith, Hon. / L'hon. Monique M. (LIB)	Nipissing	Minister of Tourism / Ministre du Tourisme Government House Leader / Leader parlementaire du gouvernement
Smitherman, Hon. / L'hon. George (LIB)	Toronto Centre / Toronto-Centre	Deputy Premier / Vice-premier ministre Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
Takhar, Hon. / L'hon. Harinder S. (LIB)	Mississauga–Erindale	Minister of Government Services / Ministre des Services gouvernementaux
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
Watson, Hon. / L'hon. Jim (LIB)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
Wilkinson, Hon. / L'hon. John (LIB)	Perth–Wellington	Minister of Revenue / Ministre du Revenu
Wilson, Jim (PC)	Simcoe–Grey	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
Witmer, Elizabeth (PC)	Kitchener–Waterloo	
Wynne, Hon. / L'hon. Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	Minister of Education / Ministre de l'Éducation
Yakubski, John (PC)	Renfrew–Nipissing–Pembroke	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Zimmer, David (LIB)	Willowdale	

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COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

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Vice-Chair / Vice-président: Robert Bailey
Robert Bailey, Gilles Bisson
Jim Brownell, Kim Craiton
Bob Delaney, Garfield Dunlop
Phil McNeely, John O'Toole
Khalil Ramal
Clerks / Greffiers: William Short (pro tem.), Sylwia Przewdziecki

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Comité permanent des finances et des affaires économiques**

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Charles Sousa
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permanent des affaires gouvernementales**

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Kuldip Kular, Amrit Mangat
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David Orazietti, Joyce Savoline
John Yakabuski
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Jim Wilson
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Christine Elliott, Peter Kormos
Jeff Leal, Dave Levac
Reza Moridi, Lou Rinaldi
David Zimmer
Committee Clerk / Greffière: Susan Sourial

**Standing Committee on the Legislative Assembly / Comité
permanent de l'Assemblée législative**

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Vice-Chair / Vice-président: Khalil Ramal
Bas Balkissoon, Jim Brownell
Bob Delaney, Joe Dickson
Rick Johnson, Sylvia Jones
Norm Miller, Khalil Ramal
Peter Tabuns
Committee Clerk / Greffière: Tonia Grannum

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des comptes publics**

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Vice-Chair / Vice-président: Ted Arnott
Ted Arnott, France Gélinas
Phil McNeely, Jerry J. Ouellette
David Ramsay, Liz Sandals
Norman W. Sterling, Maria Van Bommel
David Zimmer
Committee Clerk / Greffier: Katch Koch

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Carol Mitchell, Shafiq Qaadri
Elizabeth Witmer
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**Select Committee on Mental Health and Addictions / Comité
spécial de la santé mentale et des dépendances**

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Kevin Daniel Flynn, France Gélinas
Helena Jaczek, Sylvia Jones
Jeff Leal, Liz Sandals
Maria Van Bommel
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Première session, 39^e législature

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Monday 19 October 2009

Lundi 19 octobre 2009

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

Clerk
Deborah Deller

Greffière
Deborah Deller

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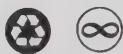
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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 19 October 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 19 octobre 2009

The House met at 1030.

The Speaker (Hon. Steve Peters): Good morning. Please remain standing for the Lord's Prayer, followed by the non-denominational prayer.

Prayers.

INTRODUCTION OF VISITORS

Ms. Lisa MacLeod: I am probably going to steal someone's thunder, but I just noticed a very good friend of mine up in the gallery: a former minister of the crown in this Legislature and my very good friend, Claude Bennett. I hope he understands that what I'm about to do to his successor today, I would never do to him.

Mr. Jim Brownell: I'm very pleased to rise in the House today to introduce and welcome to the House some members of Project Kids HEAR, who are in the gallery; 150 members and family members are here with Project Kids HEAR to advocate for the benefits of children who are deaf and hard of hearing. I welcome them, and I think we all welcome them to the Legislature.

Hon. Deborah Matthews: I would like to welcome to the Legislature Brent and Laura Ferguson and their son, Cade, who is here happily wearing his cochlear implants.

Ms. Andrea Horwath: I'd like to introduce Christine and Chris Wines to the chamber. They're from Grimsby, Ontario, and I welcome them here, as well as Paul Mundra, from Durham region.

Mr. Rick Johnson: I have two guests visiting from my riding today: Sharon Bell and Elizabeth Oliver. They're in the members' gallery. I would like to welcome them to the House.

Mr. Jean-Marc Lalonde: I would like to welcome two members of the finest school board in Ontario, the Upper Canada District School Board: Greg Pietersma, chair, and David Thomas, the director of education. Welcome to Queen's Park.

Hon. John Milloy: It's my honour to introduce Harry Watts, a World War II veteran and community leader from my riding who served overseas as a motorcycle dispatch rider and, in 2001, wrote one of the first—and maybe only—accounts of the experiences of a dispatch rider during this period. Later today, Harry and I will meet with you, Mr. Speaker, and the executive director of the legislative library to donate his book, *The Dispatch Rider*, to the legislative library. He is joined by his daughter, Laura Nahls, and Jeremy Diamond, managing director of the Dominion Institute. They're in the west gallery, and I know we'll want to welcome them all.

Hon. Jim Watson: I'd like to welcome, in the Speaker's gallery, 10 former ministers of municipal affairs, and I will ask that they stand: Claude Bennett, who served from 1978 to 1985; Dennis Timbrell, 1985; Dr. Alvin Curling, 1985-87; Dr. Chaviva Hošek, 1987-89; Ed Philip, 1993-94; Richard Allen, 1994-95; Allan Leach, 1995-99; Chris Hodgson, 2001-03; Helen Johns, 2003; and David Young, 2003. These former ministers have joined me today to celebrate—

Interjection.

Hon. Jim Watson: Excuse me. Steve Gilchrist. My apologies.

These former ministers have joined me today to celebrate the 75th anniversary of the ministry, which coincidentally falls during our second annual Local Government Week, which starts today, during which students from across the province learn the importance of municipal government. I hope the House will join me in welcoming these distinguished guests back to the Legislature.

Hon. Donna H. Cansfield: On behalf of Minister Broten and myself, I would like to welcome Norseman Junior Middle School and their teachers to the Legislature—Lesley Bullin and Jennie Cansfield. Welcome and enjoy.

Hon. Deborah Matthews: I would like to introduce Bill Laidlaw, the EO of the Canadian Assistive Devices Association. Welcome, Mr. Laidlaw.

The Speaker (Hon. Steve Peters): On behalf of the Clerk of the House, I'd like to introduce several Clerks and secretaries from various state Legislatures seated in the Speaker's gallery. They are Patsy Spaw from Texas; Denise Weeks, North Carolina; Diane Bell, Florida; Ann Cornwell, Arkansas; Steve Marshall, Vermont, Pat Harris, Dowe Littleton and Joyce Wright from Alabama; and Bill Schaeffer from Virginia. Enjoy question period today.

FIRE IN LEGISLATIVE BUILDING

The Speaker (Hon. Steve Peters): I just wanted to take this opportunity to say thank you to some people. As many of you are aware, a week ago a fire broke out on the north wing. I think it's important, on behalf of all members of the Legislature, that we acknowledge those individuals who called in the fire; the firefighters, particularly, for their hard work and efforts of extinguishing the fire; and as well all the legislative security, maintenance and library staff who work so hard. We thank

everyone, and we're very fortunate this was not a more serious situation. Thank you to all those individuals.

USE OF QUESTION PERIOD

The Speaker (Hon. Steve Peters): On Tuesday, September 29, 2009, the House leader of the official opposition, Mr. Runciman, raised a point of order concerning the conduct of oral question period, and specifically, my interpretation of standing orders 23(h) and 23(i) and 37(a). Both the third party and the government House leaders, Mr. Kormos and Ms. Smith respectively, also contributed to this point.

At the outset, let me repeat what I have already said to the House: My ruling with respect to the previous day's supplementary question by the member for Nepean-Carleton, Ms. Macleod, which prompted this point of order, stands. I considered it to be out of order at the time and, having reviewed our precedents and the relevant authorities, I reaffirm that view.

I also accept the opposition House leader's assurance that he accepts this ruling and that his point of order is not a challenge to the Chair but rather a request for clarification. In fact, I'm grateful for the opportunity this has given me to clarify our rules and practices and my approach to the use of language in question period.

With respect to the question for the member from Nepean-Carleton which I ruled out of order, I've dealt with this theme in previous question periods. The member alleged that the granting of contracts by the present government to a specific firm was "a quid pro quo" for donations by that firm to the Ontario Liberal Party. I am hard-pressed to find a more blatant example of a breach of standing orders 23(h) and (i) in Hansard. That question makes an overt and unseemly allegation and directly ascribes motive to the alleged behaviour.

At this point, let me address what is important in part of the two opposition House leaders' arguments, being that standing orders 23(h) and (i) refer to another member in the singular. Indeed, to quote the member for Leeds-Grenville, "the wording is quite specific." It is, but the specific wording of the standing order is not the full extent of what informs the Speaker's decisions. The standing orders are the first-line guide to the conduct of proceedings in the House.

However, the standing orders do not exist in a vacuum. They are also informed by practice and precedent. In the current case, there is no dearth of authority for the proposition that an allegation made against the government, or the cabinet or a party—pick the formulation of your choice—often equates, in all meaningful respects, to an allegation against a member of the assembly. Various parliamentary authorities speak to this proposition. In the House of Commons' Procedure and Practice on page 526, it is noted, "Expressions which are considered unparliamentary when applied to an individual member have not always been considered so when applied 'in a generic sense' or to a party."

1040

This, of course, is the same as saying, as I am, that depending on the context and the specific situation, sometimes such expressions have been considered unparliamentary.

This matter is discussed in the Australia House of Representatives Practice commencing at page 500 of the fifth edition. A Speaker's ruling in that House set out their practice as follows:

"I think that if an accusation is made against members of the House which, if made against any one of them, would be unparliamentary and offensive, it is in the interests of the comity of this House that it should not be made against all as it could not be made against one."

Finally, David McGee in Parliamentary Practice of New Zealand notes that "allegations of corruption on the part of the government or a party and offensive terms applied to a party are just as disorderly as allegations against or an offensive term applied to an individual member."

Quite a quick canvass of our own Hansard has revealed numerous examples in support of this. Let me share with you just one to make my point. On October 16, 1996, the Speaker repeatedly called the leader of the third party to order for alleging that the government was "prepared to climb into bed with," "to dance with" and to "have a cozy relationship with organized crime." The member was required to withdraw the language before being allowed to proceed. Other broadly similar examples are not difficult to find.

It is certainly possible to identify from the record numerous instances when a specific allegation or imputation of motive—whether toward a single member, or certain members collectively—passed without comment from the Speaker or another member; in other seemingly identical or largely similar instances, the Speaker or another member objected to the comment.

Interjections.

The Speaker (Hon. Steve Peters): It would be perhaps helpful that all members listen to this ruling, because it speaks to members on both sides of the House, and I think we should be listening.

It is certainly possible to identify from the record numerous instances when a specific allegation or imputation of motive—whether toward a single member or certain members collectively—passed without comment from the Speaker or another member; in other seemingly identical or largely similar instances, the Speaker or another member objected to the comment. This is less inconsistency on the part of the presiding officer than evidence of the "cut and thrust" of question period to which Mr. Kormos referred. Oral question period, as we know, is often emotional, inelegant and raucous.

In that cut and thrust, in the heat and speed of question period, it is sometimes a genuine challenge for the Speaker to find the correct balance between a legitimately aggressive opposition—or an equally aggressive government front bench—on the one hand, and the need to maintain a minimally orderly forum on the other hand.

And depending upon the context, the manner of delivery and general tenor of the House, what may be out of order one day will pass without comment or reaction on another.

The opposition House leaders raised this point of order in the context of standing orders 23(h) and (i), but it is equally important to keep in mind standing order 23(k), which provides that a member shall be called to order if he or she uses abusive or insulting language of a nature likely to create disorder.

Sometimes questions, comments, speeches and interjections contain veiled or not-so-veiled innuendo, and just as often are framed in such a way as to invite the listener to infer that which cannot be stated expressly. Aside from being examples of members attempting to accomplish indirectly what they are not permitted to do directly, they are also apt to produce disorder.

I think it is fair to say that the basis for the body of precedents we have that interpret “member,” singular, in the plural, lies in the broader power and responsibility of the Speaker to maintain order and decorum. In that broader context, then, simply put, an allegation or assignment of motive against multiple members, or against any collective that embraces members of the House, is not protected by the singular wording of the standing orders.

As Speaker, my goal is always to foster and encourage conditions that permit the opposition to perform its fundamental role of holding the government of the day to account. It is an adversarial system, without a doubt, but it is my view—which I have conveyed on previous occasions—that the maturity of temperate debate produces the best and most respectful environment for this to happen effectively. After all, Ontarians are also watching a government-in-waiting in action.

Let me now turn to the issue of standing order 37, which was also raised in that same point of order. I have recently addressed this issue too. On June 4, the last day of the spring sitting, I stated: “Speakers have traditionally allowed a fair amount of leeway in allowing questions to be put. In this, I am no different than my predecessors. I have taken the view that members should be given the greatest freedom possible in the putting of questions. Like a hockey referee at playoff time, I am always mindful not to be overly intrusive, and as much as possible, to let the game play on.

“The member made reference to standing order 37(a), which refers to the necessity of questions being of urgent public importance. This particular reference has caused some difficulty for almost all occupants of this chair. Like them, I am reluctant to sit in judgment as to what is or is not a question of urgent public importance....

“It is a subjective question, and as demonstrated yesterday by the response to this point of order by the government House leader, there are differing opinions on what is considered to be either urgent or of public importance. One member’s pothole is another member’s crater.”

That statement continues to reflect my approach to the chair, especially during question period. It was not an in-

vocation of standing order 37(a) that prompted me to move on from Ms. MacLeod’s supplementary question on September 28, but rather my impatience with her remarks in the context of standing order 23(h), (i) and (k).

I accept that this all leaves much to the judgment of the Speaker, judgment that, during question period especially, is often applied in a heated, loud, emotional and adversarial environment. Certainly, I won’t always get it right. Indeed, I apologized to the then-leader of the official opposition on June 9, 2008, for having reacted to something that the record revealed he had not actually said.

When the House leader of the official opposition sought clarifications on the ruling given September 28, he indicated that the consequence of that particular interpretation of standing order 23 is that it would hamstring his party’s ability to be an effective opposition. I acknowledge that the subject matter of the question posed by the member from Nepean–Carleton was not trivial and agree that it is a job of the opposition to hold the government to account and that they should do so vigorously and insistently. But I cannot agree that it is necessary to disregard the principles of decorum in order to do so.

As I said earlier, my preference is to let the game play on and permit all reasonable leeway. Only when I feel the line has been crossed, as I did in that instance, would I want to interfere with the free flow of question period or debate in general.

ORAL QUESTIONS

ELECTRONIC HEALTH INFORMATION

Mr. Tim Hudak: My question for the Premier, stemming from his summer of scandal: Premier, in last week’s report on your billion-dollar boondoggle at eHealth, the auditor revealed that “one of the firms bidding was aware of additional pertinent information that had not been disclosed to the other vendors.” In other words, the firm Anzen got the inside scoop and won the contract. Premier, who gave Anzen the information and encouraged them to submit a second bid on that contract?

Hon. Dalton McGuinty: I appreciate the question from my honourable colleague. My colleague is more than intimating—he is in fact publishing—allegations that there may very well have been, as he calls it, bid-rigging and price-fixing.

I think it’s important to accept the auditor’s report in its entirety and not just parts of it. Furthermore, in his scrum he was specifically asked about the issue of fraud or criminal activity, as my honourable colleague is alleging, and he specifically responded to that question and said, “We saw no evidence of fraud or criminal activity here.”

There was a finding. We accept every one of those findings. We will adopt every single one of those recommendations.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: Well, Premier, quite frankly, what Ontario families would appreciate is a name. Tell us who gave Anzen that additional information.

Sometimes, as Premier, sir, you have to ask the hard and difficult questions to get to the bottom of these situations. You know that Anzen's original bid was 500% higher than that of other qualified bids, but Anzen was selected and then asked to submit a second, lower bid. That certainly smacks of collusion and bid-rigging.

The public has a right to know who gave Anzen that favourable treatment. Who is the Premier trying to protect?

1050

Hon. Dalton McGuinty: I appreciate my honourable colleague's perspective on this, but I think for impartiality and objectivity, we should continue to look to the Auditor General.

Again, he was asked if there was any evidence of fraud, and he specifically said, "We saw no evidence of fraud or criminal activity." He went on in the scrum, and when he was asked, "If it wasn't fraud or criminal, then how would you describe it?" He said: "I would basically say, when you get a lack of oversight, you get broken rules. It goes together like a horse and carriage. That's the best way to put it. The controls just weren't there."

The auditor is right: The controls just weren't there. That's why we're adopting every single one of the recommendations put forward by the auditor, and that's why, prior to receiving the report, we have now specifically prohibited uncompetitive contracts when it comes to consultants in Ontario.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Tim Hudak: Premier, quite frankly, Ontario families that funded your boondoggle don't want crocodile tears; they want a name of who was behind it in handing out these sweetheart deals.

No wonder you were dubbed this weekend as "Canada's Worst Government." Your incompetence has exposed taxpayers to civil claims by bidders who saw that favouritism, and civil claims may only be the beginning. The Premier knows that bid-rigging is a breach of public trust and is punishable under the Competition Act and the Criminal Code of Canada. The auditor can only go so far as his mandate allows to point out this misconduct of the McGuinty Liberal government.

Ontario deserves answers. Why is the Premier afraid to call an inquiry to pick up where the auditor left off?

Hon. Dalton McGuinty: I can understand that it's in my honourable colleague's political interest to pursue this, but we're charged with upholding the greater public interest. That's why we asked the auditor to accelerate his look at eHealth, that's why we have willingly embraced every single one of the recommendations put forward by the auditor, and that's why we've even gone beyond that and put in place a number of new rules. We now require competition for contracts with our consultants. Consultants can no longer charge for hospitality and

food. They must have their expenses approved by the Integrity Commissioner.

We are also continuing to reduce the use of consultants. Under our government's watch, they've dropped overall by 34%, but within eHealth and the Smart Systems for Health agency, we've reduced the use of consultants in comparison to previous governments by some 40%. We think it's an improvement. Obviously, there's still more work to be done.

ELECTRONIC HEALTH INFORMATION

Mr. Tim Hudak: Back to the Premier: Come on. These untendered contracts go up some 4,000% at eHealth under the McGuinty government. I know that this is a Premier who does not like to ask difficult and uncomfortable questions of his minister. It's clearly a Premier who would rather look the other way, but taxpayers want answers, Premier.

We know this goes all the way to the cabinet table. In 2008, the auditor reveals, the McGuinty Liberals gave themselves a three-month waiver from Management Board rules restricting untendered contracts. Premier, who gave the Management Board the orders to waive the regular rules?

Hon. Dalton McGuinty: My honourable colleague, with this continuing line of questioning, is saying that he lacks confidence in the auditor's report, that the auditor was less than thorough, and what he did produce he's prepared to accept in part but not in whole.

I put it to the people of Ontario: You can rely on the partisan perspective of the official opposition or you can rely on the findings and specific recommendations on the auditor. I'll put the auditor's opinion, perspective, findings and recommendations up against the official opposition's any day, and, I would submit, so would the people of Ontario.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: Lost confidence? I tell you, Premier, it's the people of Ontario who have lost confidence in a Premier who would rather look the other way in this billion-dollar boondoggle.

On June 17, the Premier announced new rules around untendered contracts. In your press release, you said that ministers at Management Board would be responsible for administering the new rules. But, Premier, it was Management Board in the first place that broke the rules. This is worse than the fox guarding the henhouse.

I'll ask you more directly, Premier: Was it your Deputy Premier, Minister Smitherman, who encouraged Management Board to break the rules and go on this untendered-contract spending spree that benefited Liberal friends?

Hon. Dalton McGuinty: To be clear, what treasury board did on that particular occasion is the kind of thing that has been done by previous treasury boards in previous governments. We've now changed that rule so that it can't happen again. All governments may have done it, but this government has put a stop to it. We're now re-

quiring that if a consultant wants to enter into a contract with the province of Ontario, with the government of Ontario, it must be part of a competitive bidding process. We think that's fair, we think that's reasonable and we think it's in keeping with both the spirit and the specific recommendations of the auditor's report.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Tim Hudak: Quite frankly, five straight questions and five times the Premier refused to give a name. He refused to say who was behind this billion-dollar boondoggle. This is clearly a Premier who would rather sweep this under the carpet than get answers for taxpayers who are working hard and saw \$1 billion get flushed down the drain.

It has become very clear that after six years in office, this is a government that won't give up its dirty secrets willingly. The \$30-million IBM sweetheart deal had to be discovered through freedom-of-information requests. Who knows what other contracts were slipped through that four-month Management Board holiday?

Premier, we need, on behalf of working families in our province, a full public inquiry so that we can understand what role your Deputy Premier and your government played in handing out these sweetheart deals to Liberal friends.

Hon. Dalton McGuinty: Again, I thought we had a very thorough review of the matter at hand by the auditor. I accept that, I respect that and I endorse that, and we adopt it in its entirety.

I believe that my honourable colleague is more interested in engaging in political games than he is in accepting the auditor's report in its entirety. On this side of the House, we have decided that our responsibility lies in bringing the auditor in, in giving him complete leeway to conduct his investigation and in accepting fully and wholeheartedly his recommendations. We adopt each and every one of those. We have faith in the auditor. I only wish that my honourable colleague would do the same thing.

HEALTH CARE FUNDING

Ms. Andrea Horwath: My question is to the Premier. When it comes to health care, there are two different worlds in McGuinty's Ontario. In one world, our health dollars pay \$2,700-a-day salaries for recording voice mail messages; in the other, local hospitals close, services are cut, and waits for long-term care keep growing and growing.

On Friday, I sent a letter to the Premier urging him to ask the Auditor General to conduct spot audits on the use of consultants at the Ministry of Health, at the LHINs and at hospitals. My question is a simple one: Will the Premier do that?

Hon. Dalton McGuinty: I appreciate the question from the leader of the NDP. I think it's worth reminding ourselves that the reason the auditor originally decided to take a look at eHealth was of his own accord. It was not

the subject of a request coming from any party that forms part of this Parliament. He also has the authority to conduct these spot audits whenever he thinks it's appropriate to do so, and I would encourage him to do whatever he thinks is appropriate in the circumstances.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Ontarians deserve to know where their precious health care dollars are going and how they are being spent, especially when the McGuinty government is cutting health care services in this province.

In the gallery today is a woman named Christine Wines from Grimsby. The surgery she needs is an OHIP-listed service, but her local hospital says they cannot afford to provide it for her. Can the Premier explain to Christine why this government is keeping well-connected insiders in the lap of luxury when it can't find the funding to provide the surgery that she so desperately needs?

1100

Hon. Dalton McGuinty: Although there's a lot of creativity in here—and I appreciate that, as the son of a professor of poetry—the facts are not unimportant. The fact is, we've increased funding, since 2003, for health care by 42%. That is a dramatic increase in funding for our hospital care. As a result of that, we're now funding 1.69 million new procedures, which are leading to reduced wait times. Nine hundred and seven thousand more Ontarians now have access to family care. We have 14 new MRI machines and double the number of MRI hours of operation. We have almost 1,800 more doctors practising in the province of Ontario. We have 150 family health teams now caring for 1.9 million Ontarians, with more of those family health teams on the way. We are certainly investing more in health care.

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: The Premier talks of creativity, and all we see out of his mouth is callousness. The Premier tells Ontarians like Christine to accept health care cuts in these very tough times, but he refuses to take steps to end the health care consultant gravy train.

The Premier has another chance to show Christine he cares about how precious health care dollars get spent in this province. I've also called on him to ask the Auditor General whether it's appropriate for senior health care bureaucrats to get their paycheques from hospitals in what appears to be an effort to skirt the pay guidelines. Will he agree to do that?

Hon. Dalton McGuinty: I'm pleased to speak to this issue as well. That is a practice, in my understanding, that's been around for a long time. It was there under the NDP, the Conservatives and now, under our government. If it doesn't offend the letter, it certainly offends the spirit of the salary disclosure legislation. That's why we have undertaken—I believe my honourable colleague knows this—to ensure that if you look up the salary of a senior bureaucrat working inside the Ministry of Health, that will be reflected under the Ministry of Health column and

not buried away in some other hospital. Like my colleague, I disagree with that practice and that's why we're going to change it.

EMPLOYMENT SUPPORTS

Ms. Andrea Horwath: My next question is to the Premier as well. After six years under the McGuinty government, Ontario has lost 350,000 manufacturing jobs and seen a massive increase in the welfare caseloads. Can the Premier explain why, when people need help more than ever before, he's shutting down job training programs like the self-employment benefit?

Hon. Dalton McGuinty: Actually, sadly, there is a growing demand on our retraining programs and the support we provide to people generally who have lost their jobs because of this terrible economic dislocation caused by this global recession.

If I can speak about our Second Career program momentarily, we had anticipated that it would take about three years to have that program fully subscribed. We thought we might take three years to have 20,000 Ontarians who lost their jobs enrolled in that. We've now reached that limit in about 16 months. What I've now charged Minister Milloy with is, I've challenged him to come up with a way to ensure that we can continue and maintain that program under different guidelines that are affordable to Ontario taxpayers but, at the same time, meet the needs of families who are losing those jobs.

Ms. Andrea Horwath: In the gallery today is Paul Mundra from the Durham region. Mr. Mundra was an applicant to the SEB program and was scheduled to start in November. He went through an extensive screening process and attended numerous interviews and presentations. Now, the program has been abruptly cancelled.

Can the Premier explain to Mr. Mundra how the government can find millions for consultants and other insiders but is unable to help him get back to work?

Hon. Dalton McGuinty: To the Minister of Training, Colleges and Universities.

Hon. John Milloy: As the Premier indicated, we've had tremendous success in terms of Employment Ontario services that have been offered to Ontarians over the last year. We have about 21,000 people who have come forward for Second Career. At the same time, we continue to offer a variety of core services to individuals.

As the Premier indicated, we want to make sure that the services that are offered are the most effective possible, that they are reaching those individuals who are most in need, so we're undertaking a review of a variety of services. The core services remain. The self-employment benefit: We have about 3,000 people who are part of that program. They will continue to receive support, but we have announced for the time being that we will not be taking in any more applications as we go through and review this program.

I would remind the honourable member that when the Auditor General took a look at this—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Ms. Andrea Horwath: With 350,000 jobs lost, the need is enormous in this province for help for these workers, and it's not just the SEB program that's being cut. The Second Career program is leaving new applicants in limbo for months, job action centres are being shuttered across the province, and important programs like targeted wage subsidy and the Ontario skills development program are being gutted.

In the midst of an unprecedented jobs crisis, as unemployed Ontarians struggle to get back on their feet, why is the McGuinty government cutting them off at the knees?

Hon. John Milloy: I find it incredible that the leader of the third party, a party that has done nothing but mock and make fun of the Second Career program, is now standing up with crocodile tears. We have welcomed 21,000 Ontarians into the program. We are committed to ensuring that the Second Career program continues. We continue to process and approve applications for that program, albeit on a limited basis while we undertake a review. We hope to have an announcement shortly, aimed at the January intake. We have been offering services to a range of unemployed Ontarians, and we have hundreds, if not thousands, of stories of people who are redoing their lives right now by participating in these programs.

ELECTRONIC HEALTH INFORMATION

Mrs. Christine Elliott: My question is for the Premier. Premier, who blocked the Auditor General from investigating the McGuinty government's waste of \$1 billion in the eHealth scandal?

Hon. Dalton McGuinty: I believe my honourable colleague is talking about a reference in the auditor's report, which was a troubling one, where he said that he had been blocked by some senior bureaucrats with respect to the investigation. I have made it clear to the secretary of cabinet and to all our ministers and deputy ministers how important it is for us to co-operate fully with the auditor. In fact, the secretary of cabinet has just recently sent a letter to Mr. McCarter, our Auditor General, effectively affirming that. I want to reassure the auditor that we want to maintain our perfect record, apart from this particular issue, of co-operating fully with the auditor when it comes to these kinds of investigations.

Mrs. Christine Elliott: With respect, that still doesn't answer the question, because since he was first asked, the Premier has had a week and a half to find out who was obstructing the Auditor General in his probe, but he's still hanging on to his dirty secret. Premier McGuinty deflected and stonewalled the Auditor General for six months before he got access to the records, but even then, the Auditor General has said that some of the records are missing. That's of great concern to us, given the magnitude of this scandal.

If the Premier shares our concern about who blocked the Auditor General and what was missing in those records, then he will call a public inquiry to let the people of Ontario know what has happened. Will the Premier do that?

Hon. Dalton McGuinty: It's the first I hear that the auditor did not get all the material that he thought was appropriate to his work. If there is additional material that he needs, obviously we will do everything to ensure that he receives that.

I do want to again share with members of the House a letter from the secretary of cabinet, Shelly Jamieson, sent on the 16th of this month to Mr. McCarter, our Auditor General. She says, "I note that"—

Interjections.

The Speaker (Hon. Steve Peters): As I have made comments in the past, it's always helpful that members are sitting in their seats if there are going to be interjections; as well, though, that members show some restraint in some of the comments and not to have this constant comment being shot across the floor.

Premier?

1110

Hon. Dalton McGuinty: I just want to make reference to a letter sent by the secretary of cabinet, Shelly Jamieson, on the 16th of this month saying the following: "I note that in your report you raise a concern that your access to ministry records was on occasion insufficiently expeditious...."

"I assure you of my commitment and that of my deputy ministers to full and timely co-operation with your office."

CHILDREN'S AID SOCIETIES

Ms. Andrea Horwath: My question is to the Premier. Children's aid societies held a press conference last week to sound the alarm about the McGuinty government's \$23-million cut to child welfare and protection services. After blowing \$1 billion on an eHealth boondoggle, why is this government cutting funding to services to some of Ontario's most vulnerable children?

Hon. Dalton McGuinty: To the Minister of Children and Youth Services.

Hon. Laurel C. Broten: I'm very, very pleased to have an opportunity to speak about this most critically important issue.

Kids in the protection of children's aid societies are some of the most vulnerable kids in our province, and I am absolutely committed to ensuring that every opportunity is given to those kids. Very early in the privileged role that I now have, I had the opportunity to speak to the leadership of the children's aid societies, to reach out to those organizations and let them know that we are ready, willing and able to work with them through this period of time when they must find a pathway to sustainability in their budget. I look forward to continuing to work with them.

These are important steps that we are undertaking. There is much more work to do and we are absolutely committed to doing that.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: They don't need a reach-out; they need a lifeline—a financial lifeline. They're cutting services to kids. That's what's happening in this province right now.

The government is ignoring the very agencies entrusted with looking after Ontario's most vulnerable children, and it's ignoring First Nations leaders who are seeing the impact of these cuts first-hand. They're telling me everywhere I go in this province that it is a frightening situation. Why won't the McGuinty government recognize the error of its ways and commit to restoring the funding before more young lives are at risk?

Hon. Laurel C. Broten: Let's be clear on what the facts are in this case. Over the last decade, CASs have seen an increase in their budget in the amount of \$1 billion. That type of increase year over year is simply not sustainable. But let me also be clear that our standards to protect kids are tough in Ontario, and they must and will be met. That is why we are working through regional offices across the province to find long-term plans and develop partnerships and, at the same time, are putting in place a commission to ensure that we find a pathway to sustainability. There are 30 million more dollars in this year's budget than in the last. That is being distributed across CASs.

I am absolutely committed to working with the CAS leadership. I will be sitting down with them later this week. We will find a pathway through this circumstance, because kids are the most important resource in this province. I'm—

The Speaker (Hon. Steve Peters): Thank you. New question.

TAXATION

Mr. Dave Levac: My question is for the Minister of Revenue.

On TVOntario's program *The Agenda* last week, the NDP said that the HST was going to be a job killer. Understandably, many people are hesitant of a blanket statement made by the NDP on economic matters—albeit a different perspective. This hesitation was reconfirmed when on *The Agenda* the NDP misquoted a report from the Ontario Chamber of Commerce saying that Ontario would lose 10,000 to 40,000 jobs in the short term and more in the long term as a result of the HST. Len Crispino, the president and chief executive officer of the Ontario Chamber of Commerce, who was also on *The Agenda*, refuted the NDP's misquote, saying, "Look carefully on page 36 of our report, which clearly says there is no decrease in the current number of jobs."

To the minister: To quote a question from the NDP, "I want to know: What kind of jobs are being created" by the HST?

Hon. John Wilkinson: I want to thank my colleague for the question.

Twenty-first-century jobs: That's what's being created. We're going to take our tax system, which was created in 1961, in a different decade, and we're going to reform that so that in the 21st century, right here in Ontario, we can compete and win for the jobs, the jobs that our people need in this province—

Interjections.

The Speaker (Hon. Steve Peters): Minister.

Hon. John Wilkinson: I want the good people of Ontario to know that on this side of the House we are committed to ensuring that the jobs of the future, the jobs that we need today in the 21st century, the jobs that we need for our children, are going to be there, and we'll do that by reforming our tax system. Despite the allegations made by other parties, I can assure you that the Ontario Chamber of Commerce, which has called on this tax reform for over a decade, is supporting us and our move to ensure that there are jobs in the 21st century for our children.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Dave Levac: I don't want the Tories to be unloved, so on The Agenda the Conservatives stated they are not looking at the HST with an eye to business or the manufacturing community. After years of cutting social services and downloading to the municipalities, the Conservative Party is now trying to convince Ontarians that their main concern is the everyday Ontarian. They claim that the HST will negatively affect the low-income Ontarians.

This is in stark contrast to what the poverty groups in the province are saying. Groups such as the Ontario Association of Food Banks and Daily Bread Food Bank support the HST. The Daily Bread Food Bank stated, "We expect that that harmonization will actually mean people will have more money in their pocket. We think the new enhanced sales and property tax credit for low-income Ontarians will be additional sources of income that will help offset ... additional taxes...."

Who do we trust—the Tories or the people on the ground—

The Speaker (Hon. Steve Peters): Thank you. Minister?

Hon. John Wilkinson: I tell you, on this side of the House, we just have one—

Interjections.

The Speaker (Hon. Steve Peters): Order. The Minister of Transportation.

Minister?

Hon. John Wilkinson: I would say to the good people of Ontario, the people who have just one position on this file—members opposite who go on and on about small business are telling small businesses that we should not cut the small business tax, that we should not eliminate the small business deduction. They are telling us that—in our proposal, of course, they pay less. I thought that they were for small business.

I say to the members of the NDP, when we're on the same side as the Daily Bread Food Bank, when we're on the same side and you're on the opposite side, you just might want to check where your position is on this issue.

The most important thing that we need to do is ensure that we modernize our tax system, that we drag it out of the 20th century, despite the fact that we have the twins of the status quo over there—status and quo—and understand that in this 21st century we will compete and win for new jobs.

ELECTRONIC HEALTH INFORMATION

Ms. Lisa MacLeod: Now that we're back into real question period, I'd like to ask the Premier of Ontario a real question.

The auditor didn't have a mandate or the resources to subpoena witnesses—

Interjections.

The Speaker (Hon. Steve Peters): Please continue.

Ms. Lisa MacLeod: The auditor didn't have the mandate or the resources to subpoena witnesses or go beyond the paper that was left for him. Even so, the auditor found favouritism in how the McGuinty Liberals handed out contracts. My question is very simple: In addition to John Ronson, Karli Farrow and Geoff Smith, who else in your billion-dollar eHealth scandal is connected to the McGuinty Liberals?

The Speaker (Hon. Steve Peters): I just would caution the member in her line of questioning of implying motive for decisions that are made, and just ask that you be a little cautious.

Premier?

Hon. Dalton McGuinty: There is simply no foundation in fact for what my honourable colleague is suggesting. Again, I would draw to her attention that part of the auditor's report where he discussed this very issue. He said, "We were aware of the allegations that 'party politics' may have entered into the awarding of contracts and that those awarding the contracts may have obtained a personal benefit from the firms getting the work—but we saw no evidence of this during our work."

Again, I think if you're going to accept the report, you should accept it in its entirety, as we have in government.

1120

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Lisa MacLeod: The Premier quotes his set of facts. Let's quote some other ones.

John Ronson ran Liberal election campaigns and founded Courtyard Group. They received millions in untendered contracts from the McGuinty Liberals. Karli Farrow is Minister Smitherman's former chief of staff. She was also the Premier's own health adviser. She took a position with Courtyard before the end of the cooling-off period set out in section 19(2) of Public Service of Ontario Act. Geoff Smith is the Premier's own bagman and was appointed to the eHealth board—

The Speaker (Hon. Steve Peters): I would just ask the honourable member to withdraw that comment, please.

Ms. Lisa MacLeod: Withdrawn.

Geoff Smith is also a point person of interest and was appointed to the eHealth board and handed out taxpayer dollars to Liberal friends in all these untendered deals.

So the question remains: Why is the Premier refusing an inquiry that would tell us who else got rich on the scandalous use of taxpayer dollars and how they are affiliated to the McGuinty Liberal government?

Hon. Dalton McGuinty: Again, I would encourage my honourable colleague to read the report and to read it in its entirety and then to accept it in its entirety, as we have in government. There is simply no better way to put it than the auditor himself did, and I'll read the same extract again. He said, "We were aware of the allegations that 'party politics' may have entered into the awarding of contracts and that those awarding the contracts may have obtained a personal benefit from the firms getting the work—but"—again, this is important—"we saw no evidence of this during our work."

I think that's pretty conclusive. We accept that and I would encourage the opposition to do the same.

SMOKING CESSATION

M^{me} France Gélinas: Ma question est également pour le premier ministre. In the last year your government has cut almost a third of the funding to the smoke-free Ontario strategy, from \$60 million to \$42.8 million this year. Meanwhile, \$1 billion was spent on eHealth with very little to show for it. My question is simple: Can the Premier explain why he cut \$17 million from this life-saving strategy?

Hon. Dalton McGuinty: To the Minister of Health Promotion.

Hon. Margaret R. Best: Our government remains committed to the Smoke-Free Ontario Act and committed to protecting the health of Ontarians from the harmful effect of smoking and second-hand smoke.

The public health units and their tobacco enforcement officers also play a key role in achieving and maintaining high compliance levels with the Smoke-Free Ontario Act.

We have invested over \$37 million in cessation programs involved with smoke-free Ontario. In fact, we have also passed legislation prohibiting smoking in motor vehicles with children under the age of 16.

We continue to prioritize the Smoke-Free Ontario Act and we continue to work hard to improve the health of Ontarians.

The Speaker (Hon. Steve Peters): Supplementary?

M^{me} France Gélinas: The facts remain: Virtually every program within the smoke-free Ontario strategy has seen cuts—from prevention to cessation to public education. The only significant increase was in administration. The way we look at it is that the government is cutting \$17 million in prevention that keeps people from developing an addiction to tobacco while we continue to pay \$1.7 billion in treating people who develop an addiction to tobacco. The numbers don't seem to add up too well here.

Can the minister explain how this makes any financial sense?

Hon. Margaret R. Best: Our government, again, is committed to the Smoke-Free Ontario Act and we are committed to the health of Ontarians. We have seen a significant drop in smoking rates in this province and we are in the process of setting new targets for reduction in tobacco use in the province of Ontario. We are also developing a smoking cessation strategy to help specific populations of smokers, more particularly our young people and our ethnic communities and aboriginal communities. Smoke-free Ontario remains a key priority for this government.

MUNICIPAL GOVERNMENT

Mrs. Carol Mitchell: My question is for the Minister of Municipal Affairs and Housing. Minister, I understand that this week, October 18 to 24, is Local Government Week. This is the second year of the program, and many schools across Ontario will be participating in educational activities to learn more about the role of local government in Ontario. Just as we did last year, I understand the province is partnering with the Association of Municipal Clerks and Treasurers of Ontario and AMO to organize this year's event. I also understand the ministry is celebrating its 75th anniversary.

Minister, could you please talk more about Local Government Week and what your ministry is doing to educate the public about this very important level of government, that being municipal government?

Hon. Jim Watson: As the member mentioned, it is the start of Local Government Week in the province of Ontario, a time for us to celebrate the achievements of municipal government. In celebration of Local Government Week, as I said earlier, I had the opportunity of inviting former Ministers of Municipal Affairs and Housing with us. I'd like to welcome them to the Legislature, for those members who did not see the introduction.

Despite some ideological differences, we have one thing in common: Each of us has tried to improve the lives of our fellow Ontarians by providing municipal governments with the tools they need. The work that municipal representatives do has a direct impact on our daily lives, from garbage collection to snow removal, but today they are also the first point of contact in delivering social services, social housing and countless other benefits. The work is never easy; the challenges they face are ever-present. This week is a time for us to honour that work and to say thank you.

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Carol Mitchell: Thank you, Minister, for updating the House and highlighting this important week and the important work that municipalities do. As you know, Ontario municipalities still need our help. They are doing their best to manage in tough times and are asking us to do what we can to ease the burden that they carry. Infrastructure investments improve the quality of

life and, certainly, promote economic growth across Ontario by creating jobs for Ontarians and providing needed repairs to public infrastructure. There is an ever-constant need for not only new affordable housing but repairs to our existing stock of affordable housing.

I also know that one of the ways we can gain greater value for municipal governments is to provide them with a greater ability to respond to the needs of their communities. Minister, how is your ministry helping communities do just that?

Hon. Jim Watson: A year ago this month, we signed a very historic document with AMO and the city of Toronto called the Provincial-Municipal Fiscal and Service Delivery Review. It was an exercise that was based on consensus and goodwill, and the uploads that will take place over the course of this agreement will see \$1.5 billion per year benefit our 444 municipalities. With these uploads, Ontario municipalities will have increased ongoing support from \$1.1 billion when we had the honour of taking office in 2003, to \$3.8 billion by 2018—a 250% increase.

In our proposed budget, we also committed \$32.5 billion over the next two years for infrastructure—that will help support 300,000 jobs—and \$1.2 billion with the federal government to build 4,500 new houses and repair 50,000 units. We're there in partnership with our municipal sector.

CANCER TREATMENT

Mrs. Joyce Savoline: My question is to the Minister of Health. Minister, the Ombudsman has said that not funding the life-prolonging cancer drug Avastin is bordering on cruelty. In his report, he recommended that your government fund Avastin past the 16-cycle cap for colorectal cancer patients who are showing positive results. Your predecessor did not take the Ombudsman's advice, nor did your ministry staff. The decision is up to you. Will you do the right thing today and commit to funding Avastin past the 16-cycle cap?

1130

Hon. Deborah Matthews: First and foremost, of course, my deepest sympathies go to anyone who is dealing with cancer of any type and to their families. Colorectal cancer is a very difficult disease to deal with, but I want to talk about your request to expand Avastin beyond the 16 cycles that are currently funded. We have a system to determine what drugs are covered, and it is not political. I don't think politicians are best equipped to make decisions about which people get what drugs and when. That's why we established the Committee to Evaluate Drugs. It is charged with recommending which drugs should be funded and for how long. It relies on clinical experts to give them the very, very best advice on what to do. I think it should stay with the experts, not with the politicians.

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Joyce Savoline: Minister, your job is to make decisions in this House. You know full well your ministry's stand on this issue, so this decision is yours.

The Auditor General's report is scathing on eHealth and it exposed \$1 billion that went to waste. Extending the funding for Avastin will cost approximately \$9 million a year, a fraction of that \$1 billion your government has wasted. The Ombudsman says that the decision to cap Avastin was dictated by cost concerns and was in fact contrary to the accepted standard of medical care in this province. Isn't it sad that there is nothing to show for the \$1 billion, and now you say you cannot fund Avastin past the cap?

I'm asking you again: Will you today commit to funding Avastin past the 16-cycle cap?

Hon. Deborah Matthews: With respect, my job is not to make clinical decisions. My job is to make sure that the right processes are in place and that funding is there. That's why we've invested \$1.5 billion in new drug funding since we took office in 2003. Since 2006, we've added 26 cancer drugs to the formulary. We've increased funding for cancer drugs from \$72 million in 2003 to \$188 million. It was our government that started funding Avastin to improve treatment options for colon cancer. This year, more than 1,300 patients will be receiving it.

I think it's also important to note that there is an option under exceptional cases to extend beyond the 16 cycles.

MANUFACTURING JOBS

Ms. Andrea Horwath: My question is to the Premier. More than \$60 million of hard-earned taxpayers' money has been shovelled into the Navistar truck plant in Chatham. As a thank you to Ontarians for their generosity, Navistar has shifted production to Mexico and laid off all of its 1,200 Chatham workers. When will this government stand up to Navistar and demand it live up to its obligations to Ontario workers and Ontario taxpayers?

Hon. Dalton McGuinty: To the Minister of Economic Development and Trade.

Hon. Sandra Pupatello: I think it's important to note that right now, we know that Navistar is busy having negotiations with its workforce, and that is one area that the Ontario government does not interfere with.

I will tell you that not just this current government but the one previous stepped forward to work with Navistar to ensure that they would have a footprint here in Ontario. We are looking forward to some positive outcome with negotiations between the CAW and Navistar. We are maintaining contact with the company and asking for that presence to be maintained in this province.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: It seems that the Minister of Economic Development and Trade has already thrown in the towel. Last week she said, and I'm going to quote, that there is "no role" for the McGuinty government to play in resolving this Navistar issue. With 1,200 jobs and \$60 million of public money on the line, how can this government let Navistar off the hook so easily?

Hon. Sandra Pupatello: I will reiterate again: There is no role for the Ontario government between a company and its union in negotiations at the table. Any govern-

ment—in particular, an NDP one—would have learned a lesson in that regard.

Now, let me agree with the member opposite in this way. When we put money on the table for Navistar, it was particularly geared to items that would have a legacy effect in Ontario: first, R and D based at the University of Windsor that is significant for a scientific base, and that continues today and will in the future; second, for the training of workers at Navistar. That is funding geared to training for people that will maintain those skills in the future in this province. That is an important place for the Ontario government to be, to make that kind of investment with Navistar.

FOOD SAFETY

Mrs. Maria Van Bommel: My question is for the Minister of Agriculture, Food and Rural Affairs. Food safety and quality are of paramount importance to both the agricultural sector and the broader general public. As a province, we pride ourselves on the quality and safety of the food that we produce here. Because it is essential to maintaining that good reputation, agricultural representatives have been asking for some time now that we implement animal health legislation, as seen in Alberta and Quebec.

Having myself been closely involved with farming for many years, I know that protecting farm animal health is important both in terms of food quality and safety, and the economic future of our agricultural industry.

Minister, could you please inform the House about the benefits of the animal health legislation that was brought before the House on October 5?

Hon. Leona Dombrowsky: Certainly, the honourable member, who is a very strong advocate for the industry, has talked with representatives from the agriculture sector and knows very well that this is an important issue. Our industry partners have indeed been asking for this type of legislation to protect animal health, as we know that focusing on animal health in the livestock and poultry sectors will strengthen consumer confidence in our agriculture products. We know that when they have confidence in what is produced in Ontario, we have better marketability, not just in Ontario and Canada but internationally.

Should an outbreak of disease occur on an Ontario farm, both the public and our agriculture partners want to know that we will be able to act in order to ensure food safety and the protection of our industry. That's what this legislation—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mrs. Maria Van Bommel: As the next generation comes onto our farm, I'm keenly aware of the positive impact that this will have on the safety and quality of our food, the future economic well-being of farmers, as well as on our ability to protect our food system from the potential outbreak of disease.

As discussions have unfolded with farmers in my riding of Lambton-Kent-Middlesex, as well as with in-

dustry representatives, I can say that the ability to trace the origins of food products consumed by Ontarians is critical to consumer confidence. Should disease or food contaminants be found, traceability allows us to locate the source of the problem in a timely manner.

In a recent issue of the Ontario Farmer weekly, a concern was raised by a fellow member about the cost of establishing a food traceability system being borne by farmers. Minister, could you provide for this House more information on traceability and clarify the issue of the cost of establishing such a food traceability system?

Hon. Leona Dombrowsky: Traceability is a very important issue in the agriculture sector. In fact, it was one of the key issues that we spoke about at the federal-provincial-territorial ministers' meeting. What the provinces of Canada have stressed with our federal minister is that, should there be a move to go to a mandatory traceability system, there should be federal funding to accompany that. That is a view held right across our country.

With respect to this legislation, it is enabling legislation that will be consistent with any requirements that may come from the federal government. We will also be consulting with our industry partners on this enabling framework. We believe that we have struck the right balance here and that should the federal government choose to fund a traceability system nationally for our food, we'll be—

The Speaker (Hon. Steve Peters): Thank you. New question.

ASSISTANCE TO FARMERS

Mr. Toby Barrett: My question is for the Minister of Agriculture. Last week, Haldimand County Hydro pulled the plug on a young hog farmer, Wayne Bartels, for an unpaid bill of \$11,000. Calls to your office for over a year now about the Bartels' predicament get nothing but sympathy letters and a briefing note that reeks of your failure on this file.

Minister, the lights are back on this morning on Bart-side Farms thanks to federal dollars but no thanks to you. What exactly are you doing for young and beginning farmers frozen out of provincial help? I'm referring specifically to farmers like Wayne Bartels.

1140

Hon. Leona Dombrowsky: First of all, I would remind the honourable member that this government has been there for the livestock sector. We did provide a \$150-million ad hoc payment.

With respect to the challenges that there are in the livestock sector, particularly in hogs—and the individual that was identified by the honourable member is a hog producer—the province of Ontario made it very clear at our federal-provincial-territorial ministers' meeting that there needed to be a national response. That is why, on October 15, all of the provinces were relieved that the federal government finally came out with a program to assist and support those in the industry who are in difficulty. A very important part of that is a transition funding piece, so that those who are having difficulty making

money in the hog sector can transition to a sector that is—

The Speaker (Hon. Steve Peters): Thank you. Supplementary? The member from Oxford.

Mr. Ernie Hardeman: Minister, I'm pleased that you are again so supportive of our federal Conservative government. But the farmers need more than a cheerleader from the Ontario government; they need someone to step up to the plate and do something. Other provinces have added to the federal program, but the Ontario hog farmers have received absolutely nothing from Ontario.

Minister, this is just the first of many farmers that will face this situation and be forced off their farms if you don't help. Is this how you plan to downsize the hog industry—by forcing new and beginning farmers out of business?

Hon. Leona Dombrowsky: Actually, I think that it's important that the honourable member pay attention to what the Canadian Pork Council brought forward to the federal government, and it is in response to that ask that the federal government has made the investments that it has. One of those investments is \$75 million for a transition program.

Interjection.

Hon. Leona Dombrowsky: It would appear that the honourable member already has the answer and isn't interested in the one I'm giving. But at the end of the day, all of the provinces in Canada urged the federal—

Interjection.

The Speaker (Hon. Steve Peters): The honourable member just had the opportunity to ask the question, and I would really appreciate it if he would listen to the answer.

Interjection.

The Speaker (Hon. Steve Peters): Stop the—no, leave the clock running. The honourable member from Oxford, it's not appropriate to be jumping up like that. If you're dissatisfied, you know the standing orders. If you are dissatisfied with the answer, you have the opportunity to call for a late show.

Minister?

Hon. Leona Dombrowsky: Thank you, Speaker. All of the provinces across Canada urged the federal minister to come forward with a response to address the pressing needs, particularly in the agriculture sector. On August 15 of this year, the federal minister did pay very close attention to what all of the provinces in Ontario said that we needed to do, and that was to consider what the hog industry presented and provide a program that accommodated for those asks. The federal government has done that. I think that it's important that hog producers in Ontario pay very close attention and participate in—

The Speaker (Hon. Steve Peters): Thank you. New question.

EMPLOYMENT SUPPORTS

Mr. Howard Hampton: My question is for the Premier. With record unemployment levels, thousands of good jobs destroyed, and employment insurance claims

soaring across northern Ontario, can the Premier explain why the McGuinty Liberals have cut off the funding of local job action centres in northern Ontario communities like White River, Nipigon and Terrace Bay?

The Speaker (Hon. Steve Peters): Premier?

Hon. Dalton McGuinty: To the Minister of Training, Colleges and Universities.

Hon. John Milloy: Our ministry has been very happy to go into communities where there have been layoffs and work with those factories and with those employers as well as the unions to set up job action centres. Those job action centres help employees to access Employment Ontario offices. The contracts that are signed between Employment Ontario and those job action centres are for a period of time to allow workers to be adjusted. They're reviewed on a regular basis, and when they're no longer needed, they are wound up.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Howard Hampton: The McGuinty Liberals want people across northern Ontario to believe these job action centres are no longer needed. I say that the McGuinty government is completely out of touch with what is happening. In some of these communities, the unemployment rate is greater than 50%. Things like suicide happen because workers have been laid off and have no opportunity. Not only that, but they've been told that the self-employment benefits have been halted as of October 9, and that targeted wage subsidies, the skills development program and the Second Career strategy are in limbo. People seriously consider suicide; other people have nowhere to go. Why are the McGuinty Liberals cutting the funding for these kinds of strategies at the very time when people need them most?

Hon. John Milloy: I know the member would never want to leave the impression in this Legislature that a job action centre is tantamount to Employment Ontario services. Employment Ontario exists throughout this province in every single community. It offers a range of services to 900,000 Ontarians. It offers training; it offers employment support; it offers resumé writing.

Yes, we are in the process of reviewing a number of the programs that are moving forward, but the self-employment benefit the member references has been suspended; we will not be taking any more applications.

He also speaks about Second Career. We are, right now, still accepting applications and processing them, and we hope to have an announcement shortly of a new program.

We are still providing employment supports to people throughout this province.

HEALTH PROMOTION

Mr. Yasir Naqvi: My question is for the Minister of Health Promotion. We all know that the promotion of health and wellness of Ontarians is a good investment. That is why the Ministry of Health Promotion was created in 2005 to focus government efforts by providing effective programs to address chronic disease and obesity, but we know that there is no silver bullet for these prob-

lems. Instead, we must address the multiple preventable risk factors that affect the health of Ontarians, such as poor nutrition, a lack of physical activity and substance abuse.

In the past, Minister, your ministry has had several preventive programs funding local and provincial initiatives which addressed each of these health risk factors, but I'm sure you will agree that our focus should be more than just addressing these conditions and behaviours on an individual level. What is the government doing to support local organizations to better promote health within their own communities?

Hon. Margaret R. Best: I thank the member from Ottawa Centre for his question. I know that member is a person who works diligently to advance the interests of community. I concur with his point that there are many preventable factors that affect our health. A person who eats well but drinks excessively is not maximizing their health. A person who is physically active but takes up smoking is not maximizing their health. Each of these risk factors should not be addressed in silence, as we recognize that they are interconnected.

To this end, I'm pleased to talk about the \$16 million that our government is investing annually through the new healthy communities fund. This new fund is helping local partners promote physical activity, healthy eating, intervention, tobacco control and mental health promotion. It will help organizations build and maintain important partnerships across risk factors and increase the work they are doing to improve the health of Ontarians.

PREMIER'S WEDDING ANNIVERSARY

The Speaker (Hon. Steve Peters): I just want to take this opportunity on behalf of all members of the Legislature to wish the Premier and his lovely wife, Terry, a happy 29th anniversary today. Premier, all the best.

There being no deferred votes, this House stands recessed until 1 p.m. this afternoon.

The House recessed from 1148 to 1300.

MEMBERS' STATEMENTS

DRIVER EXAMINATION CENTRES

Mr. Garfield Dunlop: This past week, I spoke with many of my constituents who have come through my door seeking help and answers regarding the strike at DriveTest. Every group is affected. Our youth cannot obtain their drivers' licences at all. Numerous other individuals of all ages cannot renew or retry their licence. Livelihoods are being seriously compromised.

Out-of-province or out-of-country new residents cannot exchange or apply for their Ontario licence and, without that licence, cannot buy or insure a vehicle. Driving schools and instructors for cars up to tractor-trailers are losing business and must lay off their staff to

try and compensate. Without a driver's licence, individuals cannot get a job, keep a job or even upgrade to do a better job.

In this time of high unemployment and uncertainty, adding to the problem when we can help fix it is irresponsible. The striking employees of Serco-Des perform highly skilled and often dangerous jobs. They issue government ID and are responsible for ensuring proper documentation for new Canadians and do all the testing and retesting required for all classes of drivers.

This strike is not about money. Employees are seeking security—a minimum number of hours a week without the threat of supervisors doing the work of employees.

The jobs require consistency in order to maintain the high standard that the Ontario government requires. This cannot be achieved working in an environment of uncertainty from season to season.

In the interests of public safety, with people on our highways without a truly updated and tested licence, it is the government's duty to step in and not only end the neglect of public safety, but also assist our Ontario residents in continuing their livelihoods by achieving a fair and equitable settlement.

ROAD SAFETY

Mr. Bob Delaney: Even though Ontario's roads are North America's safest, in our daily lives we can see the things that people do, deliberately or inadvertently, to place their own safety and that of others at risk on our roads and highways.

The Minister of Transportation has introduced a bill to ban the use of hand-held devices while driving. This law comes into effect on October 26. It will begin with a three-month period in which Ontarians will learn through warnings about the new law. Police will issue tickets as of February 1, 2010.

Our constituents, all of us, overwhelmingly support making it illegal for drivers to talk text, type, dial or e-mail—or do all of them at the same time—using hand-held cellphones or other hand-held communications and entertainment devices while driving a vehicle.

Paramedics, police and firefighters may continue to use their devices while on duty, and drivers may use their cellphones, obviously, to call 911.

I've tried doing all of the things that the bill proposes to ban, and I'm surprised at how distracting and dangerous these activities truly are.

I commend my colleague from Durham for his own leadership role on this legislation. We all need to pay attention to the road and put away the gadgets while we're driving.

The Speaker (Hon. Steve Peters): Perhaps that could be extended to the Legislature as well.

The member from Durham.

ASSISTANCE TO FARMERS

Mr. John O'Toole: Thank you, Speaker, for that comment.

The Speaker of this House needs to know that the cattle, hog and horticulture payments missed a large number of farmers, especially those who are new and expanding.

I also draw to the attention of the minister the case of Andrew Frew, a young farmer from my riding of Durham and a leader in local agriculture. The Frew farm marketed almost 7,000 finished hogs in 2007, yet under the rules of the program, this farm still did not qualify for funding.

I urge this House to review the cattle, hog and horticultural payments program to ensure it provides fair access to all hog producers.

The farms and agri-businesses of my riding are highly innovative and responsive to the needs of today's marketplace. Examples of innovation and excellence in Durham riding include Algoma Orchards' processing, storage and retail operation, about to celebrate its opening.

Ontario's farmers are making investments, introducing new ideas, adding value and achieving excellence. It's time for the McGuinty government to show equally high standards in establishing policies that do not overlook any qualified producer, not just in my riding but in Ontario.

Agriculture is the food basket of Ontario, and I commend the minister, who will probably attend Algoma Orchards' opening in my riding of Durham in the coming weeks.

SERVICES FOR THE HEARING IMPAIRED

Mr. Michael Prue: I rise today to welcome the parents, children, volunteers and professionals who are at Queen's Park to draw attention to issues of access to education for hard-of-hearing and deaf children across Ontario.

Project Kids HEAR is committed to ensuring that all Ontario school boards offer standardized supports to their hard-of-hearing and deaf students, whether they attend school in Toronto, Windsor or Thunder Bay. Supports such as amplifiers used by teachers, physical sound buffers and more captioned learning material must be available in every classroom where students need them.

I wholeheartedly agree with James Borer when he states, "The province should set clear and consistent standards so that children have equal opportunity to learn, whether they use sign language, hearing aids or cochlear implants."

All over the province, children with special needs are being placed in regular classrooms without adequate support. This is not just happening to hard-of-hearing and deaf students; it is happening to autistic children, students with learning disabilities, those suffering from ADD and many others.

I urge the government to quickly address the imbalance that exists in Ontario schools today and immediately implement provincial standards of support so that all of our children, no matter what their abilities or their

disabilities, have a firm and great chance to learn in this province.

SERVICES FOR THE HEARING IMPAIRED

Mr. Jim Brownell: I'm pleased to rise in the House to express my support for Project Kids HEAR, with members and families here at Queen's Park today to raise awareness for the issues of children across Ontario who are deaf and hard of hearing. Their message is very simple: that all children across the province deserve equal opportunity to reach their potential and be fully participating members of society.

Children who are deaf and hard of hearing face different challenges in achieving that goal, but these challenges are not insurmountable. With the proper resources and access to educational and medical facilities, these children can perform at the highest level and to their full potential.

For the families of these children, it is imperative that we provide them with as many options as possible to ensure their children have the highest quality of life. Whether these families choose to use signing, cochlear implants or other devices, the goal of Project Kids HEAR is to make choices available to raise the quality of life for their children.

This government has done some great work for those who are deaf and hard of hearing, and we realize there is much more to do. I'm very pleased that I've had the opportunity to advocate for this group here at Queen's Park and to let these families know that we believe our children have the right to hear and to be heard.

Project Kids HEAR has 150 members and families at Queen's Park today meeting with various ministries and MPPs. I encourage my colleagues here, if you don't have a meeting today, to please take the time to attend the reception at 5 p.m. today in the legislative dining room. Mostly, I encourage all of us to stop and listen to the stories that these families have to tell and realize the impact we can make for their children.

CREDIT UNIONS AND CAISSES POPULAIRES

Mr. Norm Miller: I rise today to recognize and congratulate credit unions, which celebrated International Credit Union Day on October 15.

Ontario's 219 credit unions and caisses populaires serve 1.7 million residents through 687 locations, directly contributing to the economic and social development of communities across the province. They employ more than 7,000 individuals, with over 80% of these jobs created outside the GTA. They provide access to financial services in 43 communities where they are the only financial institution, and ensure competition by providing the only local alternative to a single bank in 37 other Ontario communities.

One dollar in every \$4 on deposit at Ontario credit unions and caisses populaires is invested in financing small and medium-sized businesses and agriculture in the province. And many credit unions dedicate far in excess of 1% of annual pre-tax profits to community initiatives.

In Parry Sound–Muskoka, Kawartha Credit Union is an example of a credit union with a strong community focus. The direct contribution of Kawartha Credit Union to the local economy exceeded \$9.6 million in 2006, with the credit union providing 148 direct and 72 indirect jobs. Through their community involvement program, Kawartha Credit Union has also financially supported dozens of local agencies and initiatives.

Credit unions and caisses populaires are important partners in our communities. I congratulate them all for the important service they provide.

1310

HELLENIC COMMUNITY OF OTTAWA

Mr. Yasir Naqvi: I'm pleased to rise today and share with the House an important anniversary being marked in Ottawa this year. The Hellenic Community of Ottawa is celebrating 80 years of strengthening and servicing the Greek community in our nation's capital since their inception in February 1929.

In the early years, the association was instrumental in establishing Greek Orthodox religious services for the Greek community in Ottawa and facilitated networking with other Greek communities throughout North America.

By the early 1940s, the Hellenic Community had opened a Greek language school, established a church to worship, become incorporated in the province of Ontario and gave assistance to occupied Greece under the Canada War Relief program.

By the late 1960s, the Greek population in Ottawa swelled, and the Hellenic Community of Ottawa moved their facilities to their present-day location on Prince of Wales Drive, not far from my home.

Throughout all their eight decades, the Hellenic Community of Ottawa has been instrumental in keeping, nourishing and promoting the vibrant Greek culture, faith and language.

The Hellenic Community of Ottawa is also the centre of attention every August with a GreekFest that is a major part of Ottawa's impressive festival lineup. During GreekFest the entire Ottawa community is invited to participate in a week of festivities rich with the spirit of the community and the celebration of Greek culture. GreekFest is an event which anyone of any background can appreciate, and there's some pretty good food too.

To my friends of the Hellenic Community of Ottawa, especially President Pinelopi Makrodimitris-Karlis and Friar Alex Michalopoulos, I wish to congratulate you on long-standing and distinguished service to your community and your outstanding contribution to our city. Congratulations.

POAG JEWELLERS

Mrs. Maria Van Bommel: Earlier this month, I had the pleasure of attending the 50th-anniversary celebrations of Poag Jewellers, which is a fixture in Strathroy. One block of Frank Street was closed for this top-drawer event on a Sunday afternoon.

James Poag Senior first opened the shop in 1959 after launching his career by working in a jewellery store at the age of 13 and later completing a five-year apprenticeship in watch- and clockmaking. He met his wife, Judy, while she worked at an insurance office across the street, and after their marriage, Judy also became part of the store.

Sons Jim and Jeffrey began helping at Poag's as soon as they were able to see over the display counters. As any parent will confirm, Jim and Judy can take pride in the fact that both of their children have made the commitment to follow in their parents' footsteps. Today Poag's is still a family business run by both sons: Jim, a certified appraiser, and Jeff, a goldsmith and diamond setter. Jim's wife, Denise, runs the china department.

James and Judy can still spend about two or three afternoons in the store. Staff members often find them selling an engagement ring or a wedding ring to the children and grandchildren of their first customers.

I can personally attest to the hometown quality of their workmanship and friendly approach to doing business in a rural community, as well as their citizenship in the Strathroy-Caradoc area.

I hope all of you will join me in congratulating Poag Jewellers on their 50th anniversary and wish them another 50 years of success.

HABITAT FOR HUMANITY

Mrs. Laura Albanese: Seventeen new families will soon own their own home in York South–Weston thanks to Habitat for Humanity and the whole Habitat for Humanity team. I was very proud to take part in the groundbreaking ceremony that gathered members of the Habitat for Humanity board of directors, volunteers, home donors, corporate sponsors and partner families. It was a very special event.

From every standpoint, Habitat for Humanity showed what great things can be achieved despite limited resources, but with clear vision, with unparalleled resolve and a unique sense of solidarity. The work they do is targeted for people who also have limited resources—but that is the only limit partnering families have, because in far more important resources, partner families are rich. They are rich in determination, in dignity and in their aspirations. When these qualities meet the organizational ability of Habitat for Humanity, leaps forward are attained.

But this time, the great Habitat for Humanity team went even further, because the new homes built in York South–Weston also respect the values of sustainability, energy efficiency and environmental sensitivity, as they

are the first green homes built by Habitat for Humanity in the whole of Canada.

It is my hope that, in and out of York South–Weston, their example will be appreciated and followed.

MOTIONS

COMMITTEE MEMBERSHIP

Hon. Monique M. Smith: I seek unanimous consent to move a motion without notice regarding committee membership changes.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

Hon. Monique M. Smith: I move that the following amendments be made to the membership of certain committees: The member for Richmond Hill replaces the member for Etobicoke–Lakeshore on the Standing Committee on General Government, and the member for Kitchener–Conestoga replaces the member for Richmond Hill on the Standing Committee on Justice Policy.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

Motion agreed to.

SIGN LANGUAGE INTERPRETERS

Hon. Monique M. Smith: I believe we have unanimous consent to put forward a motion without notice regarding sign language interpreters for certain proceedings.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

Hon. Monique M. Smith: I move that, during introduction of visitors and oral questions on Wednesday, October 21, 2009, as well as during statements in the afternoon, sign language interpreters may be present on the floor of the chamber to interpret the proceedings to guests in the galleries.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

Motion agreed to.

STATEMENTS BY THE MINISTRY AND RESPONSES

WOMEN'S HISTORY MONTH MOIS DE L'HISTOIRE DES FEMMES

PERSONS DAY

JOURNÉE DE L'AFFAIRE « PERSONNE »

Hon. Laurel C. Broten: I rise to acknowledge this month as Women's History Month and October 18 as Persons Day.

Je prends la parole aujourd'hui pour souligner que c'est le Mois de l'histoire des femmes et que le 18 octobre est la Journée de l'affaire « personne ».

On October 18 in 1929, women were declared “persons” under the British North America Act. For the first time, women had a legal identity and the right to serve in the Senate.

This year, on the 80th anniversary of this historic time, the Famous Five—Nellie McClung, Louise McKinney, Irene Parlby, Henrietta Muir Edwards and Emily Murphy—have been so appropriately named posthumously to Canada's Senate, the first time in history for such an honour to be bestowed. These fearless and passionate women envisioned a future that could be more equitable, more just and more secure for Canadian women. They cleared the way for women to participate as equal partners, decision-makers and equal beneficiaries in our society.

J'ai le plaisir de dire qu'il y a de nombreuses femmes en Ontario qui s'investissent, avec autant de passion et de détermination que les « Célèbres cinq », pour que la province soit un endroit plus équitable.

Three Ontario recipients of the 2009 Governor General's Awards in Commemoration of the Persons Case come to mind: Jeanette Corbiere Lavell, who successfully fought for 15 years to regain her Indian status after she married a non-aboriginal man; Bev LeFrancois, a social activist for women's rights since 1970 who helped establish community, women's and rape crisis centres and shelters for battered women; and Pauline Fogarty, a young woman from Thunder Bay who designed a girls' collective and is actively involved in social issues such as youth in the mental health system. Their stories make us pause to realize the accomplishments of women in our communities, in our courts and in our Legislatures. Women's History Month gives us pause to appreciate the advances made by women in many areas.

As our country is in the final stages of preparing to host the 2010 Winter Olympics and Paralympics, it is fitting that this year's theme for Women's History Month—Women in the Lead: Winter Sports—is shining a well-deserved light on the Ontario women who have broken down barriers in winter sports, women who have broken ground for others, ranging from Isobel Stanley, daughter of Lord Stanley, who helped form the first women's hockey league in 1894, to Karen Blachford, a Paralympic gold medal winner who in wheelchair curling proved that we can all participate in sports, and most recently Veronika Bauer, who took aerial skiing by storm, winning five World Cup gold medals in one of the world's newest winter sports.

L'histoire des réalisations féminines en Ontario est haute en couleur et édifiante. Ce sont des réalisations par des femmes de tous les horizons et des quatre coins de l'Ontario.

To the women who have made Ontario rich through your accomplishments, I say thank you for leading the way. To today's women leaders, on behalf of all of us in Ontario, I say congratulations on your achievements and thank you for showing young girls what can be accomplished with skill, hard work and a dream.

Thank you. Merci.

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The Speaker (Hon. Steve Peters): Responses?

M^{me} France Gélinas: It is a pleasure to add my voice to Women's History Month and Persons Day.

J'aimerais commencer par vous dire que j'ai une grand-mère extraordinaire, une grand-mère qui n'est pas née « une personne » parce qu'à ce temps-là les femmes n'avaient toujours pas le droit de vote, mais elle faisait partie des suffragettes, des femmes qui se présentaient pour avoir le droit de vote. Finalement, comme il était mentionné par ma collègue, en 1929, les femmes ont été déclarées des personnes, et un peu plus tard, elles ont commencé à avoir le droit de vote. Je vais continuer à vous parler de ma grand-mère parce que je trouve que c'est un exemple typique des batailles qu'elles avaient à faire.

Ma grand-mère a eu 14 enfants, ce qui était assez commun dans son temps, qu'elle a décidé d'éduquer. Cela voulait dire qu'elle a dû retourner au travail. Ma grand-mère était professeure. Lorsqu'elle a eu 25 ans—on la considérait une vieille fille—elle s'est mariée, et parce qu'elle était mariée, elle a dû laisser aller son travail. Mais au fur et à mesure qu'elle a eu ses enfants, le salaire de mon grand-père, qui travaillait deux « shifts » par jour, sept jours par semaine, n'était pas suffisant pour envoyer ses 14 enfants à l'école. Ça fait qu'elle est retournée à l'école.

À ce temps-là, il y avait des écoles pour—c'était affreux—les « arriérés mentaux ». On les appelait comme ça, mais c'était vraiment des gens qui avaient des problèmes de développement. Ils ne pouvaient pas trouver de professeurs, donc ma grand-mère a fait une tournée là. Elle est devenue leader syndicale pour son école et son conseil scolaire. Elle a eu à défendre toutes sortes de cas bien spécifiques aux femmes.

Les femmes à ce temps-là avaient le droit à deux semaines de congé de maternité. Donc, si tu as accouché, tu avais le droit à deux semaines, et si tu travaillais, tu devais revenir au travail. Il y avait une femme à son école qui était enceinte mais qui n'était pas mariée. L'école a décidé qu'elle ne lui paierait pas ses deux semaines de congé de maternité parce qu'elle n'était pas mariée. Les défis que les femmes ont rencontrés se sont multipliés tout au long de la carrière de ma grand-mère.

Maintenant, je me vois ici comme députée. On est 107 députés, mais seulement 27 de nous sont femmes. Si on avait la parité, 50/50, je suis certaine que les choses seraient très différentes ici à l'Assemblée législative. Si on regarde du côté fédéral, les choses ne sont pas mieux.

Je siège présentement à l'Assemblée parlementaire de la Francophonie, et même ça—je suis sur un comité qui s'appelle le comité des femmes. J'ai dû m'y reprendre à deux fois pour venir à bout de faire adopter une proposition qui changerait le langage vers un langage neutre. Au comité des femmes, on utilise ce langage : « les droits de l'homme ». Qu'est-ce qu'on est en train de dire par ça? Que le langage n'évolue pas? J'ai dû m'y reprendre à deux reprises avant que le comité des femmes

accepte d'utiliser un langage neutre et de parler des droits de la personne plutôt que des droits de l'homme.

Je reviens là. I want to come back and talk a little bit about this place, the Legislative Assembly. My office is on the first floor, by the east door. When you come into Queen's Park you have this array of walls covered with very severe-looking men. What greets me every morning when I come to work? A row of 30 such men, each looking more—how can I say—severe than another. And none of them will crack a smile, because these are paintings, so they don't change from day to day. But it just sets the tone that this is a place for men. Everywhere you look, you see pictures of men. I kind of get tired of this, Mr. Speaker. Your office is very close to mine. I wish we could redecorate, and the first thing I would put in is—those monstrous pictures of men that I have to look at every morning are very nice and everything, but we need a little bit of variety. Pictures of women in this House would be a big step.

I cannot talk about Women's History Month without talking about pay equity; pay equity is a women's issue and needs to be addressed. Minimum wage, \$10.25 an hour now, is also a women's issue—and I'm running out of time. Merci, monsieur le Président. Thank you, Mr. Speaker.

Mrs. Elizabeth Witmer: Today, I'm very pleased to rise on behalf of the PC caucus to recognize Women's History Month and also October 18 as Persons Day.

It was 80 years ago that the British Privy Council decided that women were persons under Canadian law, and we owe that landmark decision to five outstanding, determined and very persistent women who took their fight all the way to the Privy Council in England, the highest court in Canada at the time. The Famous Five—Emily Murphy, Louise McKinney, Irene Parlby, Henrietta Muir Edwards and Nellie McClung—changed the lives of women of their generation and of all future generations. These women opened the door of potential political opportunity to women who would later take up the challenge.

Persons Day falls in October, during Women's History Month, and it is an appropriate time to celebrate the contributions of women in the past and in the present who have shaped Canada in so many ways. In business, in the arts, in sports and in politics, women have increased their presence and their influence, and have demonstrated that they can excel in non-traditional fields.

This year's theme is women in winter sports. This theme shines a well-deserved light on the women who have changed the face of winter sports. With Canada hosting the 2010 Olympic and Paralympic Games, it is the time to celebrate the many Ontario women who have achieved outstanding success in sport. Ontario has had many female leaders who have competed and left a very significant legacy. As with all firsts, they have paved the way for future generations of women, and we are proud and thankful for their contributions.

I was interested to read that hockey was one of the first venues for women to actively participate in. The first

women's hockey game was played in 1892. Back then, they took to the ice, long skirts and all. Since then, Ontario women have continued to excel in winter sports such as figure skating, speed skating, aerial skiing and wheelchair curling. We salute all these passionate, successful and determined women, who serve as role models and who continue to pave the way for future generations.

Last month in my community, we celebrated the accomplishments of women during Oktoberfest week, and we nominated and selected women to be, for example, professional of the year, volunteer, youth, etc., for their outstanding community and personal accomplishments.

This month, we need to remember the progress that women have made. More women than ever before are pursuing post-secondary education, thus increasingly becoming economically independent. More women today are owners and operators of very successful small businesses. In all areas of life, women are working extremely hard toward independence and self-sufficiency, and we celebrate and recognize those outstanding women.

Having said that, we know there are still challenges ahead and barriers to overcome. We still need more women at the parliamentary level, whether it's in the provincial Legislatures or federally, and we need to continue to encourage competent, capable women to seek public office.

However, today is a day of celebration. We have a proud history in Canada; we have a proud history in the province of Ontario. To all those who have led the way, to the women who have gone before us, I say congratulations on your many, many achievements and thank you for showing us and those who will follow what we can accomplish with dedication, with a lot of hard work, with a dream and with teamwork.

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PETITIONS

DOCTOR SHORTAGE

Mr. John O'Toole: It's a pleasure to have an opportunity to present a petition on behalf of my constituents in the riding of Durham. It reads as follows:

"Whereas the McGuinty government is conducting a review of the province's underserved area program (UAP) that may result in numerous communities across rural and mostly small-town Ontario losing financial incentives to recruit and retain much-needed doctors" in rural Ontario; and

"Whereas financial incentives to attract and keep doctors are essential to providing quality front-line health care services, particularly in smaller communities; and

"Whereas people across Ontario have been forced to pay Dalton McGuinty's now-forgotten health tax since 2004, expecting health care services to be improved rather than cut; and

"Whereas taxpayers deserve good value for their hard-earned money that goes into health care, unlike the wasteful and abusive spending under the McGuinty Liberals' watch at eHealth Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government not reduce or eliminate financial incentives rural communities and small towns need to retain and attract doctors."

I'm pleased to present this petition to one of the new pages, Elliott, and approve of it.

DIAGNOSTIC SERVICES

M^{me} France Gélinas: I have this petition from the good people of Nipissing, who are asking for a PET scan.

"Whereas the Ontario government is making positron emission tomography, PET scanning, a publicly insured health service....; and

"Whereas by October 2009, insured PET scans will be performed in Ottawa, London, Toronto, Hamilton and Thunder Bay; and

"Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine;

"We, the undersigned, petition the Legislative Assembly of Ontario to make PET scans available through the Sudbury Regional Hospital, thereby serving and providing equitable access to the citizens of northeastern Ontario."

I fully support this petition, will affix my name to it and send it to the table with page Rushabh.

CEMETERIES

Mr. Jim Brownell: I have a petition from a number of constituents from Toronto and Ottawa, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Ontario's cemeteries are an important part of our cultural heritage, and Ontario's inactive cemeteries are constantly at risk of closure and removal; and

"Ontario's cemeteries are an irreplaceable part of the province's cultural heritage;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government must pass Bill 149, the Inactive Cemeteries Protection Act, 2009, to prohibit the relocation of inactive cemeteries in the province of Ontario."

As I agree with this petition, I shall sign it and send it to the clerks' table.

TAXATION

Ms. Sylvia Jones: My petition is to the Legislative Assembly of Ontario.

"Whereas residents in Dufferin-Caledon do not want a McGuinty Liberal harmonized sales tax (HST) that will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' 13% blended tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes; and

"Whereas the McGuinty Liberals' 13% blended tax will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas this McGuinty Liberals' tax will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario consumers."

I'm pleased to affix my name to this.

TOM LONGBOAT

Mr. Jim Brownell: I have a petition in support of the Tom Longboat Day Act and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Tom Longboat is one of Canada's greatest long-distance runners; and

"Whereas Tom Longboat is a great role model for all Canadians;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass the Tom Longboat Day Act into law so that we can honour this remarkable athlete and courageous Canadian, who is a great role model for all Canadians."

As I agree with this petition, I shall sign it and support all those from my riding who have signed it.

TAXATION

Mr. John O'Toole: I have literally thousands of petitions on this particular topic. It reads as follows:

"Whereas Premier Dalton McGuinty is increasing taxes yet again with his new 13% combined sales tax, at a time when families and businesses can least afford it; and

"Whereas by 2010, Dalton McGuinty's new tax will increase the cost of goods and services that families and businesses buy every day. A few examples include: coffee, newspapers and magazines; gas for the car, home heating oil and electricity; haircuts, dry cleaning and personal grooming; home renovations and home services; veterinary care and pet care; legal services, the sale of resale homes and," to end it all, "funeral arrangements; and

"Whereas Dalton McGuinty promised he wouldn't raise taxes in the 2003 election. However, in 2004, he brought in the" dreaded "health tax, which costs upwards

of \$600 to \$900 per" person. "And now he is raising our taxes once again;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government wake up to Ontario's current economic reality and stop raising taxes on Ontario's hard-working families and businesses."

I'm pleased to sign and support this and hand it to Kira, one of the new pages.

CEMETERIES

Mr. Jim Brownell: I have a petition from a number of citizens of Windsor, Ottawa and Peterborough. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Ontario's cemeteries are an important part of our cultural heritage, and Ontario's inactive cemeteries are constantly at risk of closure and removal; and

"Ontario's cemeteries are an irreplaceable part of the province's cultural heritage;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government must pass Bill 149, the Inactive Cemeteries Protection Act, 2009, to prohibit the relocation of inactive cemeteries in the province of Ontario."

As I agree with this petition, I shall sign it and send it to the clerks' table.

TAXATION

Mr. Ernie Hardeman: I have a petition signed by a great number of my constituents.

"To the Legislative Assembly of Ontario:

"Whereas residents of Oxford do not want Dalton McGuinty's new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$500,000; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families, farmers and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I affix my signature as I agree with this petition.

CEMETERIES

Mr. Jim Brownell: Again, I have a number of petitions from Kirkland Lake and Essex. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Ontario's cemeteries are an important part of our cultural heritage, and Ontario's inactive cemeteries are constantly at risk of closure and removal; and

"Ontario's cemeteries are an irreplaceable part of the province's cultural heritage;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government must pass Bill 149, the Inactive Cemeteries Protection Act, 2009, to prohibit the relocation of inactive cemeteries in the province of Ontario."

As I agree with this, I shall sign it and send it to the clerks' table.

WIND TURBINES

Mr. Toby Barrett: A petition regarding the negative impact of industrial wind turbines on our neighbourhoods, with signatures from Port Rowan, Clear Creek and along Lakeshore Road:

"We, the undersigned citizens, who live in the area of the Erie Shores Wind Farm, are concerned about one or more of the following issues and are asking that you take immediate action to address and remedy these negative effects created by the operation of the industrial wind turbines:

"(1) intrusive noise, low-frequency emission and strobe effect created by the turbines' rotating blades;

"(2) negative impact on physical and mental well-being;

"(3) loss of enjoyment of day-to-day life in the previously peaceful environment;

"(4) affected neighbours were not informed of the final location of the turbines; and

"(5) the resale value of our properties is below the already depressed real estate market."

I affix my signature to these petitions.

CEMETERIES

Mr. Jim Brownell: Again, a petition from taxpayers from Barrie, Collingwood and Cambridge. It reads as follows:

"A petition to the Legislative Assembly of Ontario:

"Whereas Ontario's cemeteries are an important part of our cultural heritage, and Ontario's inactive cemeteries are constantly at risk of closure and removal; and

"Ontario's cemeteries are an irreplaceable part of the province's cultural heritage;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government must pass Bill 149, the Inactive Cemeteries Protection Act, 2009, to prohibit the re-

location of inactive cemeteries in the province of Ontario."

Once again, as I agree with this, I shall sign it and send it to the clerks' table.

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TAXATION

Mr. John O'Toole: Again, I have hundreds of petitions from my riding of Durham. It reads as follows:

"Whereas the proposed harmonization of the Ontario retail sales tax (RST) with the federal GST has the potential to increase costs to many small businesses and their customers; and

"Whereas these added costs would have a devastating impact in difficult economic times, and organizations such as the Ontario Home Builders' Association have estimated harmonization would add \$15,000 in new taxes to the price of a new Ontario home;

"Therefore we, the undersigned, reject the harmonization of the GST and the RST unless there are exemptions to offset the adverse impacts of harmonization, so that the outcome will be a reduction in red tape, not higher taxes."

I'm pleased to endorse this, sign it and present it to Rushabh.

TOM LONGBOAT

Mr. Jim Brownell: Again, I'm pleased to present a petition in support of the Tom Longboat Day Act. This is signed by a number of my local constituents, who, every year, participate in the Tom Longboat race at Canada's oldest fair, in Williamstown, in my riding. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Tom Longboat is one of Canada's greatest long-distance runners;

"Whereas Tom Longboat is a great role model for all Canadians;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass the Tom Longboat Day Act into law so that we can honour this remarkable athlete and courageous Canadian who is a great role model for all Canadians."

As I agree with this, I shall sign it and send it to the clerks' table.

TAXATION

Mr. Toby Barrett: This petition is entitled "Scrap the 13% McGuinty Sales Tax."

"To the Legislative Assembly of Ontario:

"Whereas the 13% McGuinty sales tax will cause everyone to pay more for gasoline, heat, telephone, cable and Internet services; and

"Whereas the 13% McGuinty sales tax will cause everyone to pay more for coffins, coffee, haircuts, gym

memberships, newspapers, lawyer and accountant fees and meals under \$4;

"We, the undersigned, petition the Legislative Assembly of Ontario to not increase taxes for Ontario consumers."

The signatures are from Selkirk, Cayuga, Dunneville and Lowbanks area. I affix my signature.

TAXATION

Mr. John O'Toole: I'm pleased to present another petition here. Thousands of them come in daily. This one reads as follows:

"Whereas residents of Etobicoke do not want a provincial harmonized sales tax (HST) that will raise the cost of goods and services they use every day; and

"Whereas the 13% blended sales tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to house sales over \$400,000; and

"Whereas the 13% blended sales tax will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the blended sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario consumers."

I'm pleased to sign and support this and hand it to Jeremy, one of the new pages.

TAXATION

Mr. Bob Delaney: I have a petition addressed to the Ontario Legislative Assembly. I would certainly like to thank the members of the Mississauga community called Effort for collecting the signatures, and particularly Khalid Qureishi and Sadia Khalid. It reads as follows:

"Whereas a retail sales transaction in Ontario should not be subject to two separate taxes, at two different rates, under two sets of rules and payable to two different levels of government; and

"Whereas Ontario will implement a comprehensive package of income and business tax cuts in 2010 which will especially benefit working families and retired seniors; and

"Whereas the income taxes of Ontarians will be cut permanently, seniors will receive double their former property tax credit and other permanent savings will flow to Ontarians; and

"Whereas the cost to businesses to produce goods will go down permanently as embedded sales tax is permanently eliminated from the business cycle, enabling those businesses to lower business costs and pass savings along to their customers; and

"Whereas these measures represent the most comprehensive tax reform in a half-century, enabling Ontario to be the most competitive place in North America to create jobs, move, grow and operate a business;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario and the members of the Ontario Legislative Assembly support measures to swiftly enact Ontario's comprehensive tax reform procedures, including the move to a single sales tax in Ontario, as proposed in the province's 2009-10 budget."

I agree with the petitioners. I'm pleased to sign and support this petition and to ask page Bethany to carry it for me.

ORDERS OF THE DAY

ANIMAL HEALTH ACT, 2009

LOI DE 2009 SUR LA SANTÉ ANIMALE

Mrs. Dombrowsky moved second reading of the following bill:

Bill 204, An Act to protect animal health and to amend and repeal other Acts / Projet de loi 204, Loi protégeant la santé animale et modifiant et abrogeant d'autres lois.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Hon. Leona Dombrowsky: I'm delighted to have the opportunity to speak to what I believe is a very important piece of legislation. I will be sharing my time with my parliamentary assistant, the member from Haliburton-Kawartha Lakes-Brock. He has brought a good deal of enthusiasm to his new role and to this office, and I very much appreciate the information that he's bringing to me from the agriculture community in his riding.

It really is an honour to be a part of a government that has proposed the Animal Health Act, 2009, and to have the opportunity to make, for this assembly, some points in its favour. I want to remind you why we have introduced this very important piece of legislation. People in Ontario may or may not know—certainly those in the agriculture community know—that the agri-food industry contributes some \$30 billion each and every year to the economy in the province of Ontario. In addition to that, this industry employs over 700,000 people. Now, I'm talking about the agri-food sector, so, while we do not have 700,000 farmers, we have 700,000 people involved in providing safe, quality food products.

Mr. Rosario Marchese: Seven thousand or 700,000?

Hon. Leona Dombrowsky: No, this is 700,000 people. One of my colleagues was questioning the number. But that would relate not just to those people who plant and harvest the crop but the people who process the food product as well. These people are responsible for enabling this province to say that we provide the safest and best-quality food of anywhere in the world.

Ontario's livestock and poultry sectors generate more than \$4.5 billion in farmgate activity each year. That's just the livestock and poultry sector, and we know that there are many other sectors that contribute significantly to the Ontario economy and even more specifically to our rural economies. We have the largest poultry industry, the second-largest swine and dairy industries and the third-largest beef industry in Canada, so in many sectors we are significant producers at the national level as well.

The presence of animal disease in any of these sectors can have a very serious consequence on the economic health of the agri-food industry and therefore the economic strength of the province and the very well-being of all Ontarians.

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I share these figures in this assembly today so that folks can truly appreciate the significant interest the people of Ontario have in ensuring that we're doing everything possible to protect animals' health and well-being and in ensuring that we have measures in place to protect animals in the province of Ontario. We know as well that there is a link between animal health and human health, and protecting our animals can help us better protect the people in our province as well.

The proposed legislation would provide measures to assist in a number of things. It will assist in the prevention, detection and response to and control of animal diseases and other hazards. It also includes a framework for a traceability system that will be able to track food from the field where it's produced to the fork, where our consumers enjoy it so very much. It will fit within any national traceability framework that may be developed. As yet, we do not have a national traceability framework, but we are, in this legislation—and we certainly are looking forward to debating it in this Legislature, going to committee with it and getting feedback from our stakeholders, particularly on this traceability piece. I would say that it is an enabling piece of legislation.

We also look forward to that time when the federal government will announce its financial support for a national traceability system. When that happens, the province of Ontario will be ready to walk out the door with them on that, in that we have the framework legislation in place.

An efficient traceability system allows for the quick identification and control of disease and food safety hazards related to animal products. In the industry, there has been a good deal of discussion and conversation about traceability. Traceability also contributes to our province's ability to demonstrate to the world, not just to our consumers in Ontario—I believe they have been convinced—that we do have the safest and best-quality food of anywhere in the world. That is why the Buy Local initiative has taken off. That is why farmers' markets are doing so well across the province. There is definitely a sense and an understanding that locally grown Ontario food is safe. But we also need to be able to demonstrate to the national and international markets that we have safe, quality food, and a traceability system will enable

producers to be able to do just that on the world stage. This will in turn, of course, help the agri-food industry be more competitive.

While this legislation would give us the tools to work within a national traceability system, we also continue to support Ontario farmers and food processors, as many of them have already made their own traceability investments. That is definitely a credit to our farmers and food processors in Ontario, because they have recognized why this is an important announcement: It does give them a competitive edge. So there has been some significant investment in this area already.

Three years ago, we helped create OnTrace. OnTrace is an organization that provides traceability systems to producers in Ontario. In May of this year, I announced that our food safety and traceability initiative, which is a four-year, \$2.5-million joint investment—when I say “a joint investment,” this is an investment in which we will be partnering with the federal government again. These are things that we are able to do because we have signed an agreement with our federal partner to work on these sorts of initiatives that the industry has said are important and that they need. So, in May of this year, I announced the food safety and traceability initiative, which is a four-year, \$2.5-million investment. This will enable Ontario farmers and Ontario food processors to continue to put in place the building blocks for a traceability system.

That event happened in Guelph, and there were many industry participants there. They were very, very grateful for the fact that we've recognized this is something they need to be competitive and sustainable going forward, and they very much appreciated that.

Under this new food safety and traceability initiative, individual farms and businesses are able to receive up to \$20,000 to develop or improve their food safety and traceability programs. So many businesses have taken advantage of this that we are providing more than \$3.9 million this year alone, and we look forward to funding more innovative projects over the next year as well.

I think the fact that there has been so much take-up on this funding opportunity demonstrates that we have farmers and food processors in Ontario who, number one, appreciate that the support is there, and who recognize that making these investments in their operation, whether they're primary producers or processors, will enable them to be competitive in a global marketplace.

Now, as I indicated, the new food safety and traceability initiative is part of the Growing Forward agreement, which is the new national agriculture framework. That framework commits \$300 million over the next five years to help grow the Ontario agriculture industry. We made an announcement about the Growing Forward agreement, and this is an example of one of the pieces of that very important agreement that is actually working to help producers and processors in our province.

We have ensured that this legislation is consistent with legislation in other jurisdictions across the country and, in fact, around the world, especially those jurisdictions that have livestock sectors similar to our own and even

some that might be a little bit different. Certainly the livestock sector is one we pay particular attention to.

Throughout the last three years, we have also consulted with industry partners, and our industry partners told us that they wanted legislation to address animal health issues in Ontario. That's another reason why we're coming forward with this. If this legislation passes, we will continue to consult with our industry partners and ensure that we work with them on the development of new regulations.

That, quite frankly, has been the way we have operated since coming to government. It's certainly fair to say that it's the way this office has operated and how we have treated our stakeholders. We have an open-door policy; people have an opportunity to bring their concerns to us. I think that what we will hear when we have public consultations is that the proposed legislation does reflect many of the issues that came to us from the stakeholders. I think it's fair to say that we continue to be open to looking for ways to improve the legislation that is before us today. As well, we will be hosting a forum on traceability early next year to help our industry partners adopt traceability and show the innovation and competitiveness that comes from successfully implemented traceability systems.

This legislation is, in my view, the next logical step in our government's commitment to supporting animal health in the province of Ontario. We have made some moves and some investments. I think they are certainly important investments for the industry, and they've been well received by the industry. What we are debating in the assembly today is the next logical step to support the industry.

1400

Members of this House and many of our participants in the agriculture industry will know that we have established the Office of the Chief Veterinarian for Ontario. That office is held by an assistant deputy minister. At the present time, the office is filled by Dr. Deb Stark, a very capable and well-respected individual. I see that the member from Oxford is nodding his head, and I'm very appreciative of that. The chief veterinarian has an important job to do, a very responsible job. I think it is important that she is recognized and respected in the agriculture community across Ontario, and I believe that, in fact, is the case.

We have also invested in the University of Guelph's Animal Health Laboratory. We've made some significant investments in that laboratory. We are proud of the fact that in Ontario we do have the University of Guelph and that it is known across Canada for the good work, the research, that is done there. I'm very happy to say that this government has recognized that there had been a significant drought in terms of investment in that facility, a drought of many years, and we had a lot of catching up to do. But because we do value the industry, we know how important it is that we have a well-resourced research facility, as we have at the University of Guelph. I think that that has been a very, very important investment.

We are also helping livestock and poultry organizations develop their own traceability systems, bio-security protocols and emergency plans. When I say "we," I again would like to indicate that this work happens on the concession road. We have folks from the Ministry of Agriculture, Food and Rural Affairs going out and dealing with our farmers and food processors. They come to us with their issues as well, and their questions, and I think that together we are building an excellent and safe food safety system in our province.

We have consulted with industry partners, who very clearly told us that Ontario needs this animal health legislation. I want to thank them as well for all of the help and assistance that they have provided to me personally, to this office and to the people who work at OMAFRA as we worked on this proposed legislation. There is a clear connection between the health of our animals and the health of our people and the strength of our agri-food industry, and that is why we believe it's important at this time that we move forward with animal health legislation.

The McGuinty government wants to foster a strong, prosperous and healthy Ontario. This proposed animal health legislation will provide the framework that we need to make sure that our animals are protected, to make our agri-food sector more competitive, and to contribute to the good health of all of the people in Ontario.

I've made some general points with respect to the legislation, and I'm delighted that my colleague and parliamentary assistant is going to go into a little bit more detail about this very important document. He and I have had the opportunity to go through it line by line. I think that it's fair to say he has an excellent understanding of what is in the document. I do look forward to his comments now.

The Deputy Speaker (Mr. Bruce Crozier): The member for Haliburton-Kawartha Lakes-Brock.

Mr. Rick Johnson: As you all know, I have only recently become parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs. I'm honoured to be working with Minister Dombrowsky at this exciting time as we move to protect vital contributors to Ontario's economy.

I would like to first talk about the purpose of the legislation and key definitions. If passed, this proposed Animal Health Act would provide important measures to help us better prevent, detect and respond to animal health issues in Ontario. While the federal government has broad authority to respond to animal diseases, Ontario is the only province without its own legislative powers to act to protect animal health within its borders.

This proposed legislation is intended to complement, not duplicate, federal authorities and would help make sure Ontario's livestock and poultry sectors are prepared to address animal health risks.

As I'm sure you're aware, all animals have the potential to carry and transmit diseases that could pose risks to animal or human health. For that reason, the proposed legislation includes a broad definition of "animal," which

includes not just livestock and poultry but in fact any creature that is not human. The proposed legislation must include all animals to cover all potential disease sources, although implementation would focus primarily on farmed animals. This is consistent with federal legislation as well as legislation in other provinces, and was supported by industry partners during consultations.

Another broad definition used in the proposed legislation is that of "hazard." If passed, the proposed legislation would cover a broad range of issues that could affect the health of animals, not just diseases. These are referred to in the bill as hazards. Experience internationally has shown there are situations other than disease that may require action to protect animal and human health. Because of this, the proposed legislation includes other categories of hazards: chemical, radiological and physical. By referencing hazards beyond disease, the proposed legislation would allow us to address animal health concerns such as chemical contamination or metal shards in animal feed.

In 2005 our government created the position of chief veterinarian for Ontario to oversee a provincial animal health strategy, and I would like to speak to that role. We heard from industry partners that it was important for the chief veterinarian to have certain powers within legislation. This, we heard, would make sure that animal health issues were given the high priority they deserve. We listened, and the proposed legislation includes provisions for a chief veterinarian for Ontario to be appointed by the minister and to have specific legislated powers. A little later I will tell you about some of the measures that could be taken to protect animal health, should this legislation pass, all of which would occur under the close watch of the chief veterinarian. The chief veterinarian would also be a key link between animal and human health, with close ties to Ontario's chief medical officer of health.

With regard to the reporting of hazards, the province can have all the power it wants to respond to an issue, but if we don't know there is a problem, those powers are meaningless. Because of this, the proposed legislation outlines provisions for reporting specific animal health risks to the chief veterinarian, who will guide the response, which could be simply confirming the hazard is not present, notifying industry to increase biosecurity, or taking further action as needed.

Reporting requirements would fall into one of three categories, similar to the structure used under federal legislation.

The first category would be so-called "reportable" hazards. Animal health issues that would be listed under this category would need to be reported immediately to the chief veterinarian for Ontario by anyone who suspects, is aware of, or should be aware of the issue. This could include a livestock producer, an animal transporter or a veterinarian.

The second category is called "immediately notifiable." Hazards listed under this category would need to be immediately reported to the ministry by laboratories

only. This applies only to laboratories because the notification to the ministry would be done after testing conducted at the lab confirmed a specific hazard.

Generally, reportable and immediately notifiable diseases and hazards need immediate action to help mitigate and control.

The third reporting category would also apply only to laboratories. It is "periodically notifiable" hazards. Items on this list would likely be diseases that are less of an immediate threat but are still important to keep track of for surveillance purposes, and watching for trends. Periodically notifiable diseases would need to be reported by laboratories on a schedule that would be set in regulation.

While the proposed legislation establishes these reporting categories, I'd like to stress that the specific hazards that would come under each of the headings would be developed in a regulation, should the legislation be passed. Minister Dombrowsky and I want to assure you that we are committed to consulting with industry partners when developing this regulation to make sure that the reporting requirements are appropriate.

Veterinarians may be requested to report other unusual incidents they come across in their veterinary practice that may not fall under one of these reportable categories.

1410

Again, let me assure you that the regulation that would be developed after consultation would clearly set out all reporting responsibilities.

I should note that the ministry would be able to take actions to prevent or control an animal health risk even if it were not reported directly to the chief veterinarian. For example, should we be aware of a significant animal disease that is in a neighbouring province, we could take appropriate measures to keep that disease out of Ontario.

The proposed legislation also sets out certain reporting requirements for the chief veterinarian. Should the chief veterinarian become aware of any animal health issue that could pose a significant human health risk, he or she would be required to report this to the chief medical officer of health.

Public health authorities would continue to have the lead in the event of any significant public health risk, but this legislation, if passed, would make sure that we are all working together to protect the province from potential hazards with animal or human health risks.

The proposed legislation provides for inspectors to be appointed and work under the guidance of the chief veterinarian for Ontario. Should the legislation be passed, when appointing inspectors, the chief veterinarian would look for a strong background in veterinary science and a familiarity with livestock and the poultry sectors. These inspectors would become the primary responders for animal health issues in the province and would be visiting specific premises should there be a reason to believe that there is an animal health issue there.

In addition to entering a premises, these staff would be able to inspect animals and related items, such as transportation vehicles. They could also take samples for testing and issue compliance for quarantine orders.

It should be noted that inspectors would not be able to come into a private home unless they had consent or there was a warrant, and a warrant would not be sought unless there were exceptional circumstances.

This bill also speaks to a provincial response to hazards. It is our hope that preventive measures will keep animal health diseases from affecting Ontario's livestock and poultry. However, the proposed legislation provides us with valuable tools should we need to respond to a hazard.

The proposed legislation would allow for inspectors to order certain measures be taken to address or control an animal health issue. This could include submitting samples for laboratory analysis, disposing of specific products or implementing other control methods that would have been outlined in the bill.

The bill outlines three escalating levels of controls that could be established to respond to an animal health risk.

The first level is quarantine. Under the proposed legislation, if an inspector had reasonable grounds to believe that an animal health issue existed and needed to be contained, he or she could issue a quarantine order under the guidance of the chief veterinarian. A quarantine order could involve isolating animals or related products or posting signage to keep traffic out of the affected premises. The length and conditions of quarantine would depend on the situation and would be set out in the quarantine order.

If the chief veterinarian believed that further monitoring for a certain hazard were required, a broader surveillance zone could be established for up to a 10-kilometre radius around the quarantined premises. Should a surveillance zone order be issued, it would include conditions that the chief veterinarian considered necessary to monitor for a specific hazard within the specific area.

For example, surveillance zone orders could authorize an inspector to examine animals or animal products and submit samples for laboratory testing to determine if the hazard had spread from the quarantined premises. A surveillance zone order could also specify precautionary or biosecurity measures within that zone.

Should more action be required, an animal health control area could be established which could cover a broader area than a quarantine or surveillance zone.

Only the minister can establish a control area, and this would not be done lightly. However, having the ability to establish a control area could help protect the province from an animal health issue that might affect another jurisdiction and not currently be present in Ontario.

A control area could also be established to protect parts of the province that were free from a particular hazard that was present elsewhere in the province or to prevent or control an issue that posed a significant risk to animal or human health in the province or part of it.

Should a control area be established, it could require that, within the area, animals and animal product be monitored and inspected; samples be submitted to a laboratory for analysis; owners report any unusual illness in their animals; specific biosecurity measures be

followed; animals or related products be destroyed; and specific premises be cleaned and disinfected.

The proposed legislation does establish a review system with respect to orders made by inspectors. Upon request, a director could review an inspector's order and may confirm it, alter it or revoke it. If it were absolutely necessary, the proposed legislation would allow for animals to be ordered destroyed. We know that this is a necessary measure that in certain circumstances could be critical to the province's animal and human health. To assist the industry should animals need to be destroyed, the proposed legislation provides a framework for compensation.

In regard to compensation, legislation is meaningless if we don't know about a problem, and farmers need to know that we will help them with costs they may face when addressing an animal health issue. This was something that we heard loud and clear from our industry partners during consultations. Compensation provisions encourage reporting and are a vital part of a strong animal disease detection system. We heard their comments and we made sure that the compensation provisions in the proposed legislation were clearly stated and consistent with those in other provinces and at the federal level.

Legislation is also meaningless if there are not adequate penalties for those who refuse to comply. We know that the vast majority of Ontario's livestock and poultry producers will willingly comply with orders that might be issued to protect their livelihoods. After all, many of these producers and their organizations have been asking for such protections for years. However, we also know that there need to be penalties for those who don't comply and put animal health and possibly human health at risk. The proposed legislation suggests strong penalties for any individual convicted of an offence under this act, should it be passed. Proposed fines range from \$1,000 to \$15,000 for individuals and are double that for corporations. Individuals could also face up to one year of imprisonment or both a fine and imprisonment.

As you know, animal health issues can not only have a devastating impact on the livestock and poultry sectors but can impact human health and the provincial economy. It is important that this be taken seriously, with serious penalties for non-compliance. The proposed legislation provides a framework for the minister to establish and oversee a provincial traceability system for animals and animal products. Our government believes that the Ontario agri-food sector fully understands the benefits to be realized through the implementation of traceability initiatives and will do so voluntarily.

Traceability systems provide us with the means to track the movement of food products ultimately from farm to fork. This ability is a key element of a strong food safety system and supports the province's emergency management response. Traceability also brings benefits to the producers of Ontario's agri-food products by opening new opportunities along the value chain and

in the marketplace. Traceability is also about improving reaction times. The faster a problem is detected, for example, the sooner it can be fixed. This applies to businesses wanting to produce the safest food they can, farmers raising the healthiest animals possible, or public health officials investigating food-borne illnesses.

By knowing where animals have been and what they have been exposed to at any given time, we can all act more quickly to get to the root of a problem. Many of our agri-food industry partners have already adopted traceability programs and many more are voluntarily moving this way.

In addition, the federal government announced in July of this year that they were moving forward on a mandatory, comprehensive national traceability system for livestock. As was discussed at the meeting of federal, provincial and territorial agriculture ministers at the annual meeting in July 2009, should a national mandatory traceability system for livestock and poultry be implemented, it will be supported by the federal government through federal regulations and federal financial resources. OMAFRA will continue to work with federal and provincial colleagues to ensure that the provincial-level traceability initiatives complement the national traceability system as it evolves.

If the proposed legislation were passed, some existing acts and regulations under those acts could be modernized and consolidated under this act. We would be consulting with industry partners if this were further considered.

1420

Regarding the consolidation of other acts, the proposed legislation has provision that would allow us to modernize and consolidate existing legislation under the new act, should it be passed. The Bees Act, the Livestock Community Sales Act and the Livestock Medicines Act all have aspects related to animal health, and these statutes could be replaced with appropriate regulations to be incorporated under this proposed legislation in the future.

The consolidation of these acts is consistent with our government's Open for Business initiative. We would also be consulting with industry partners if this were further considered.

Developing of regulations and ongoing consultations: As you have heard, this proposed legislation sets out a detailed framework for improving our detection of and response to animal health issues in order to better protect our province's animals and its people. Should the bill pass, work will still need to be done to develop detailed regulations in several areas, including reporting requirements and traceability. I want to assure you that we are committed to developing those regulations in consultation with all industry partners. To this end, Minister Dombrowsky has also committed to establishing an advisory committee to work with the ministry as regulations are developed.

So many provincial groups have worked hard to get this bill to where it is today. We want to keep working

together to make it one of the most effective pieces of animal legislation in the country.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Ted Arnott: If the farmers in Wellington-Halton Hills were watching the debate on this bill this afternoon, knowing that the Minister of Agriculture, Food and Rural Affairs was speaking in the House today, I think they would have expected, or anticipated, perhaps, that there might have been an announcement of new programs to support our beef and pork producers, who are in serious trouble. Unfortunately, that has not yet been forthcoming from this government or from this minister, but we will continue to call upon them to do the right thing to support our beef and hog producers.

With respect to Bill 204, the Animal Health Act that is being debated today, that was called for debate, I know that our caucus has a great deal of interest in this issue and we're certainly looking forward to hearing from our agriculture and food critic, Ernie Hardeman, the MPP for Oxford, who's going to be speaking on behalf of our party to lead off the response from the opposition to this bill. Ernie served as the Minister of Agriculture when we were in government and did an outstanding job. He is well respected and highly regarded in the farm community. So we're really looking forward to his comments on this.

Certainly, I'm aware that this bill has some limited support—in terms of its principle and what the government is espousing to do with this particular bill—in terms of some of the agriculture groups, but there are many groups, including the federation of agriculture, which are quite concerned about some of the details. I would suggest to you that this is a bill that should go to a committee for public hearings, and that's something that, hopefully, the minister would address in her opportunity to respond to my comments and confirm that in fact the government will allow hearings on this bill. I think it's most important that we get this right, and without the public input of some of the key interest groups with respect to this issue, there's a chance that we could be doing the wrong thing.

Again, I would ask the minister to consider public hearings on this bill. Hopefully, she will inform the House in a few minutes that in fact public hearings will take place so as to allow all the affected organizations a chance to come in, make their case and have the government consider their views before final decisions are made.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Howard Hampton: On behalf of New Democrats, I listened to the minister's short speech and the parliamentary assistant's speech on this bill.

New Democrats know that a number of farm organizations have worked very hard to prepare this legislation. However, a number of those farm organizations still have questions to ask as to how exactly the bill is going to work, how exactly it's going to be implemented,

what the details of regulations are going to be etc. For that reason, New Democrats believe that this bill will require public hearings.

So far, what we've heard goes a long way towards sounding like apple pie and ice cream, but unless you see the details, unless you see how it's going to be implemented, unless you see how the mechanisms are going to work for farmers and for farm organizations, it will remain apple pie and ice cream.

So New Democrats feel very strongly that this bill should go before a committee, that there should be public hearings held not just here at Queen's Park, but public hearings held so that farm organizations—and, more importantly, local farm organizations—will have a very clear idea what it's about and what it's going to mean down the road when it is implemented. I say this with respect to the minister and the parliamentary assistant. I think everybody knows that farm communities in Ontario are facing really difficult times, and they need to know what the next two years, five years, 10 years hold for them and what this legislation holds for them.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Pat Hoy: I'm pleased to rise and make a few comments on Bill 204.

First of all, we all know that we have the finest producers here in Ontario, and it's well recognized around the world that our producers provide, in this case, a quality crop as pork, cattle, chickens etc., so our meats are the best in the world. This legislation will help to ensure that that continues and that there's verification that it is ongoing.

The legislation is something that the industry partners have been asking for. I know there's been consultation in the past on this particular piece of legislation, so we have a good beginning as it comes into the House here. It would require individuals to report animal diseases to the Chief Veterinarian of Ontario. That reporting will assist, should there be situations that require such, and help to maintain that fine economic engine that agriculture—in this case, livestock—happens to provide to the people of Ontario and the consumers of Ontario.

Not only is it an economic benefit but it's also one that we benefit from each and every day at our kitchen tables. The partners in this industry, most notably Ontario Pork, Ontario Cattlemen's Association, the Chicken Farmers of Ontario, the Dairy Farmers of Ontario, the Ontario Federation of Agriculture and perhaps others, endorse what we are trying to do here. They have given their written support for this.

As seems to be the custom with our government, almost every bill in this Legislature winds up at committee; I can't imagine that this one would not. There are very few bills that are introduced by the McGuinty government that do not go to committee. They are very busy. I think three are sitting today.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Norman W. Sterling: My concern with legislation in dealing with the agricultural community is the fact that when the legislation is put into effect, the agricultural community often isn't aware of what is happening with regard to a change in legislation.

Number two is that I have had a recent example of a very heavy hand laid on by the enforcement mechanisms with regard to legislation dealing with the agricultural community. One of the most noteworthy farmers in my area was charged with an offence that I felt was groundless, and they were looking for technicalities when it came to laying the charge.

Any of us who represent farmers in Ontario know, as the member for Rainy River pointed out, that the agricultural community is under tremendous pressure, and they have a lot of things that they have to do in their day-to-day lives. Unfortunately, under this government, the enforcement of agricultural legislation has been heavy-handed, as I've experienced in my own riding, and I am fearful that this kind of legislation will be dealt with in the same fashion. We do not need useless interference with the farming activity. Notwithstanding, we must, of course, protect our animals as well as the others. It's a complete failure of this government to enforce their legislation in an even-handed manner in the past, and my concern is, going forward with this legislation, we will see the same examples going into the future.

1430

The Deputy Speaker (Mr. Bruce Crozier): Response?

Hon. Leona Dombrowsky: I do appreciate the comments I have received from the members from Wellington-Halton Hills, Kenora-Rainy River, Chatham-Kent-Essex and Carleton-Mississippi Mills. A couple of points were commonly referenced in their remarks. Number one was an interest in ensuring that the bill would go to committee. Again, my colleague from Chatham-Kent-Essex has reminded members of this House that our government has, I believe, a very clear record when it comes to ensuring that there is an opportunity for the public to have their say about proposed legislation.

I would also remind all the members of this assembly that you may or not know that there was a draft item of this bill posted on the Environmental Registry in June of this year, giving the agricultural community and representative voices in the ag community a heads-up that this was something we wanted to bring forward.

With respect to what may or may not be in regulations, again, if you look on page 56 of this act, it does indicate, under "Regulations," what we would intend to consider, if the bill passes; what would be considered reasonable in those regulations. I would offer that this is where we would direct our stakeholders to look if there are concerns about what might be contained in the regulations and whether or not it would be appropriate and or necessary.

I would only remind the members in this assembly that when it does come to ad hoc payments and additional support for farmers beyond that which we provide

through our participation in the AgriStability program, they voted against all of those payments we've made so far.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Ernie Hardeman: I'm pleased to rise today to address Bill 204, An Act to protect animal health and to amend and repeal other Acts.

I want to start out by saying the Ontario PC caucus is committed to food safety and animal health. We understand the importance of ensuring that the quality and safety of our food are protected. In fact, that's the only way we can protect our markets. We understand that in order to be globally competitive, our farmers need to meet with high standards of health, quality and traceability, and they need to be able to demonstrate they are meeting those standards. We are willing to work with the government to accomplish that. However, this bill goes far beyond what is required to achieve those goals, and results in added red tape and costs to our farming community.

I just want to point out that when any bill is introduced in the House, there is what we call a compendium attached to it to kind of explain in very short form what is in the bill. I want to read the compendium for this bill into the record:

"The proposed Animal Health Act, 2009 would provide the province with prevention, detection and response measures for addressing animal diseases and other potential animal health hazards. If passed, this bill would improve Ontario's capacity to:

"—protect both animal and human health

"—address livestock diseases

"—respond to emergency situations related to animal health.

"If passed, this legislation would require the reporting of certain animal diseases to the Chief Veterinarian of Ontario. It would also enable the use of quarantine orders, surveillance zones and animal health control area orders to help control the spread of any detected disease or hazard.

"The proposed legislation would also support a future traceability framework for the quick identification and control of disease and food safety hazards."

If that's what this bill did in its entirety, the PC caucus would support the bill in its entirety, but I'm afraid that is not the fact with this bill.

As you know, this bill was introduced two weeks ago. It is a complex bill, and I know that many of the stakeholders are still working out the implications of certain sections on their industry. In fact, I heard from some stakeholders that they hadn't been able to do their full analysis yet because they were having their briefings as recently as four days ago. I hope this isn't a sign that the minister wants to rush this legislation through.

I just want to point out, Madam Minister, that haste makes waste. In some of the other programs we've been bringing up in this House for some time, particularly as it relates to young and beginning farmers, it was haste that

made the waste that is costing a lot of these young people their livelihood.

I just want to say that the review of the bill is to ensure that we hear not only from the farmers but from all the people who are directly affected by this bill. Many stakeholders were looking forward to the introduction of this legislation, as has been mentioned by previous speakers, because they were expecting it to set up a traceability system, something that they had been asking for and working towards for many years. They have expressed disappointment that this bill contains only a brief section on traceability, and that it is only to allow the minister to establish, through regulation, at a later date, behind closed doors.

As I got the briefing—and I want to thank the minister for the briefing we received on the bill last week, after its introduction—one of the pages was on the traceability part of the bill. I want to point out that the actual directive in the bill on traceability is one paragraph. The explanation usually should be a gathering together of the information and condensing it to an understandable and presentable form. The traceability in the presentation was that it "enables the establishment of a provincial traceability system for animals, animal products, animal by-products and related things which may include premises and conveyance identification, animal identification and movement reporting. This permits the provincial traceability initiative to be coordinated under the federal government's national traceability initiative. There will be extensive consultation with industry partners as the province moves forward with the traceability system. Ontario has been clear that if the federal government would like to move forward on a mandatory traceability system for livestock and poultry, the implementation would have to be supported by the federal government."

I think I heard in the minister's presentation that in fact the provincial government was involved in directing the traceability and some kind of indication that they were involved financially with it. From this directive, I realize that it must be totally supported by the federal government. I guess I must have misheard what the minister said. But I just want to point out that the traceability part of the bill, which so many farmers were expecting to be the main focus of the bill, is in fact one paragraph in the bill, with some direction as to what type of regulations might be expected, if the regulations were put in place.

Certainly, in numerous meetings with the stakeholders and at the end of the federal-provincial-territorial meetings in Niagara-on-the-Lake, the minister gave the impression that there would be a greater focus in this legislation on the traceability. In fact, the communiqué issued at the end of the meeting said, "Ministers committed to move forward on a comprehensive national traceability system for livestock and poultry, which is critical for managing animal health and food safety issues, as well as expanding market access and driving efficiencies." Again, that was the communiqué expressed in the opinion of all the ministers at the meeting,

although I do believe there was one province that dissented in that decision.

One of the things the stakeholders were looking for was to ensure that existing traceability systems, set up by agricultural organizations—their own organizations—that are currently working, such as the Canadian Cattle Identification Agency, will be allowed to continue under the new system. I do want to just point out that there were some concerns expressed by the cattlemen that they wanted to make sure that the new system would incorporate that which was already in place.

After seeing this government's efforts at creating an electronic database for eHealth, I can understand the farmers' reluctance to have this government design a database that would track all animal health records. I guess the farmers would be a little concerned that if they were going to use \$1 billion of agriculture money to create a data system for the animal health system, it would be better spent elsewhere.

Agriculture groups and farmers are also looking for details on funding for implementing the traceability program. While the agriculture organizations want this initiative, they have been quite clear that farmers and organizations cannot afford to bear all the costs.

In their submission to the proposed legislation, the Ontario Federation of Agriculture said, "The OFA insists that farmers not be forced to bear the cost of regulations that result in public benefit." Again, if we're looking to protect the public health, we need to make sure that that is done on the public health contribution, as opposed to strictly on the producers.

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They went on to say, "They should move forward so as to not put Ontario animal producers at a competitive disadvantage relative to other national or international producers."

The government must ensure that funding is available when the requirement for traceability is introduced. Too many farmers tried to access funding from the food and safety traceability initiative, only to be told that the money for this year was gone and to not even bother applying. They need to know that there will be sufficient funding available and these costs will not be passed on to the farmers.

Perhaps the members on the other side of the House have been in Toronto too long and aren't aware of the state of agriculture in Ontario. Maybe they haven't heard from the hog farmers who are on the very verge of losing their farms. I received an e-mail from one last week who said, "We are again a day closer to bankruptcy," and asked once again why the provincial government wasn't helping them.

Maybe the minister and the members on the other side of the House haven't heard from the cattle farmers who say they can't afford to continue. I just want to point out on the cattle, hog and horticulture program that we've talked about in this House a number of times, and we keep hearing the minister expounding that there are other alternatives for these farmers, that the problem with

shutting off the hydro and having someone going out of business is not a provincial problem. This is, I suppose the minister would suggest, a self-inflicted problem by those 100 farmers who were totally missed out in the program that the government put in place. Maybe I should just read it.

On December 13, 2007, Dwight Duncan announced \$150 million in his budget or his update. It "will provide \$150 million in new dollars to strengthen competitiveness and to help cattle, hog and horticulture farmers manage the current"—not three-year-old—"market conditions. The Minister of Agriculture will work with the farming community to get this help to our farming families quickly." That was the announcement.

On February 12, I had the opportunity to tell the minister that I had heard from a lot of my constituents who were going to be missed by the program because there was no application form and the people who didn't apply for certain federal programs would not be eligible for this one, and that would invariably be the young, new and beginning farmers. Of course, nothing was done in March. This was in order to get the money out quickly. The announcement was made December 13, but we didn't have time to get the information to the proper people. The cheques went out in March. The cheques were dated, incidentally, February 27, but they went out in March.

This is the minister's answer to the question on March 17: "We have recognized that over a number of years, in the hog, cattle and horticulture sector, there has been serious hurt. That is why the dollars have flowed the way they have. That is why they have been delivered the way they have to farmers who, over a number of years, have suffered losses."

All of a sudden the minister has changed the finance minister's direction in his statement that it was going to be for the immediate hurt. The minister has now decided it's for the long-term losses that they've had. In fact, it was such a long term that people who were no longer in agriculture were getting cheques. In fact, my understanding was there were even some who were no longer anywhere—

Interjection: With us.

Mr. Ernie Hardeman: —with us who got cheques, and yet there were people who were keeping many, many hogs in 2007, when the minister announced that for the immediate hurt this money was available who were totally missed in that.

This is the minister's answer: "When we spoke with the stakeholders for cattle, hog and horticulture, they made it very clear that they wanted the money to their producers as quickly as possible. We committed to them that the fastest way to get these dollars to the producers was to use information we had in our system"—not current information; information we had in our system from the historical past—"so there was no requirement for application."

No, there wasn't. Not only was there no requirement for application; there was no system for applications for new farmers.

So again, it goes back to a previous time when a minister was asked how come he sent out a whole bunch of money without application, and he said, "Because I had to get it out in a hurry." I don't believe that's the appropriate way to deal with the agriculture community. I don't believe that's the appropriate way to deal with anyone and particularly with government money.

I just want to point out that that program uses 2005 and 2006 as qualifying years, which eliminates farmers who started in 2007. So immediately from day one, anyone who started in hog production in 2007 didn't get any assistance in 2008 to cover the losses of 2007.

The program uses 2000 to 2004 as reference years to calculate the annual net allowable sales. For new farmers or ones who have undergone large expansion in that time period, it's unlikely to be an accurate reflection of the size of their operation.

I just want to read this one. It's also out of Hansard from March 17. The minister—

The Deputy Speaker (Mr. Bruce Crozier): The member for Oxford, it would be helpful if you told us, from time to time, through the Chair, how this relates to Bill 204.

Mr. Ernie Hardeman: Thank you very much, Mr. Chair. We will be getting to that, because I think it's about the credibility—

The Deputy Speaker (Mr. Bruce Crozier): I'd like you to get to it rather quickly.

Mr. Ernie Hardeman: As soon as I get to it, we'll let you know, Mr. Speaker.

The minister's answer was: "I think it is important to make some very important clarifications with respect to this program. We had the opportunity to meet with the cattle producers and the pork producers, who explained to us the fact that over a number of years there's been significant hardship in their particular sectors and that this government had a role to play. Our government has stepped up to the plate. We have recognized that over a number of years, in the hog, cattle and horticulture sector, there has been serious hurt." I'm not sure why they didn't realize that in 2006, but they realized in 2008 that it had been going on for quite a number of years. "That is why the dollars have flowed the way they have. That is why they have been delivered the way they have to farmers who, over a number of years, have suffered losses."

Again, I just want to point out that there's some question about the relationship between what the minister says and what the government is doing. That's why I think it's so important to make sure that we understand that leaving so much to regulation in this bill without having it defined for our agriculture community is of great concern. That's why I just wanted to point that out, and that's why I'm right back to where you wanted me to be. Thank you very much.

Last week, our leader and myself met with the fruit and vegetable growers and the tender fruit marketing board. They're very concerned about their members' survival as the costs keep increasing. Again, this is the

same thing: dealing with putting forward regulations that have no visible means of support other than the farmers having to pay for them.

The same day, I received an e-mail from a fruit winery that is being forced into bankruptcy and their assets are being seized because they couldn't get access to markets to sell their products, something that this government could have addressed by moving forward with the private member's bill introduced by the member from Leeds-Grenville that would have allowed the sale of fruit wines—

The Deputy Speaker (Mr. Bruce Crozier): I know the member from Oxford is struggling to get back to the bill, but really, I don't see that it has anything to do with fruit wines. So please, help the Chair do what we're supposed to do, and that's address the bill on the floor.

Mr. Ernie Hardeman: I'm doing that, because I think this bill is all about the credibility of the minister and whether she will fairly treat the commitments that she's making in this bill, which has no parameters around it as to where it's going to go after that, and I think it's very important that our agriculture community gets the opportunity to hear the challenges that we face with this bill.

The farmers are already struggling, and that's why they can't handle the load of more regulations and more red tape piled on the regulations and red tape that they already face and manage to stay in business. They're already struggling. They're trying their best for their families, and thanks to this government, they soon are going to have to pay extra with the HST.

We can all agree that the goal of protecting food safety, and both animal and human health—I think we can also agree that the government needs the tools to be able to prevent and control diseases. When the draft legislation was introduced this spring, many of the agricultural organizations commented that it was too broad and went beyond what was required. I think that's where I started in this discussion, that it's far broader than it needs to be for the purpose for which the government introduced it.

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In their submission, the Ontario Federation of Agriculture said, "The scope of any new on-farm animal care and housing standards or regulations should be restricted to animal health emergency situations that require a rapid response to control and contain disease outbreaks." That is one of the farm organizations that the government says supports this legislation, but they have grave concerns that the legislation goes well beyond what it needs to do.

The Ontario Farm Animal Council said in their submission, "We are also of the opinion, however, that the proposed legislation oversteps its mandate. The intent to regulate the handling and housing of livestock as described under the animal health promotion proposal must be restricted under the act to emergency measures and situations involving the containment and remediation of animal disease outbreaks and contamination." Again, it goes back to the credibility: What is it that the bill is in-

tending to do, and why is it so much broader than it needs to be to accomplish the health and safety of the food? They raise concerns that including non-emergency standards for animal health care will lead to another layer of duplication and red tape.

In their submission, the Ontario Federation of Agriculture stated, "The Ontario Society for the Prevention of Cruelty to Animals (OSPCA) has been given a mandate to protect all animals.... As the OSPCA Act has been recently updated, we believe this easily provides enough regulation to account for animal welfare issues."

The Ontario Farm Animal Council had similar comments in their submission, and again, the control and dealing with the animal itself and the protection of animals is already covered in another piece of legislation, It has very little, if anything, to do with the need that the minister expressed at the start of this legislation to be dealt with.

Stakeholders, with some conditions, of course, have indicated their support for the traceability part of the bill. There is even support for animal health legislation, but not one agricultural organization or farmer indicated support for more red tape, which is what this bill creates. Not one stakeholder asked that we take away the rights of individual farmers in order to implement that red tape, and certainly no agricultural group in Ontario asked to have more cost put on the farmers.

To make sure I relate it to the topic at hand, I want to read a section of the communiqué that was written after the ministers' meeting in Niagara-on-the-Lake. I think it's very important for the record: "Ministers committed to move forward on a comprehensive national traceability system for livestock and poultry, which is critical for managing animal health and food safety issues, as well as expanding market access and driving efficiencies. They agreed that a mandatory comprehensive national system for livestock will be in place by 2011 and that implementation will be supported by national funding and regulatory framework. Ministers committed to engage key industry groups in the timing of implementation for each species. The Going Forward policy framework and agricultural flexibility fund will provide support for key elements of the national system. Ministers also discussed the need for traceability for all sectors.

"Ministers acknowledged the positive steps taken to engage trading partners on key market access...."

The communiqué from that meeting with all the ministers was that what we needed was a national traceability program in this province or in this country. In fact, I gather from the way it's written that the minister is holding back the commitment from actually supporting that for fear that we become part of one program rather than having duplication and overlap and have two programs, one the national one and one the provincial, all dealing with the same farmers here.

I just wanted to talk a bit about the regulation and the red tape. As with many other bills introduced by this government, there's far too much left to the regulations, and the minister mentioned the section in the bill. Out of

64 pages, eight of them, almost 10%, are just listing the regulations to make this act work. It seems to me to be a little excessive in the ability to make regulations as opposed to actually doing something in the bill. Increased regulation is the exact opposite of what the stakeholders asked for. In fact, in the submission to the draft legislation, Ontario Pork said, "This proposed legislation must work towards reducing the regulatory burden on the livestock industry and its ancillary industries." That was their comment. This is another group that supports the principle of introducing this legislation.

One of the areas of particular concern for farmers is section 63, which allows the Lieutenant Governor in Council to "make regulations governing licences, certificates, registrations and permits, including,

"(a) prescribing activities for which a licence, certificate, registration or permit is required...."

There is nothing in this news release announcing this bill that tells the farmers there will be new licences, certificates, registrations and permits. There has been nothing in the minister's remarks that explains how this new layer of red tape would help farmers improve animal health. It's simply another layer of red tape that costs farmers both time and money without demonstrating any benefits to animal or human health. There is nothing there that would even suggest that there was a need for licensing in the process of trying to protect health and prevent the spread of disease by the Chief Veterinarian of Ontario.

Farmers will tell you that they already are drowning in red tape and unnecessary regulations. All the time that they spend filling out paperwork, trying to figure out what they need to do to comply with the latest regulations and dealing with different government bureaucrats, is less time that they can spend with their animals or producing the food that we rely on.

In their submission, Ontario Pork said, "Ontario's livestock commodities alone cannot bear the cost of regulations that put them at a disadvantage to imported products that do not have to meet the same standards. In order for domestic regulation to be effective in providing protection for all, Ontario must have a strong and vibrant domestic market, not one that is at a competitive disadvantage due to excessive and burdensome government regulation."

We know that many of the farmers are already struggling to make ends meet, and many of them are on the verge of losing their farms. We heard last week the story of the hog farmer—and we heard about that in question period today—whose power was cut off simply because he couldn't afford to pay his bills. For several days, he had to rely on the generosity of friends to supply diesel fuel for the generators that kept his 4,500 hogs fed and kept the ventilation going in the barn.

In an e-mail he said: "As young hog producers (my brother, 29, and myself, 36) with across-Canada award-winning production, after being left out of the OCHHP program, with the fed loan program being announced late and our provincial government doing nothing for its

producer in this 60-year crisis (while our neighbouring province pays out millions of dollars in support ... \$330 million so far this year) we believe that the support we receive is a crying shame.”

Again, this is a farmer who is not in the position to be paying more money to build a traceability or animal health system. So again, it speaks to the need for the government, if they're going to put regulations in place, to properly fund them, and furthermore, to prove that those regulations that are being put in place are there for a purpose, not just to have them put there.

Minister, although you refuse to acknowledge it, many of our farmers are already at the breaking point. They can't handle more costs downloaded from the government. Farmers have been telling the minister that they cannot afford any new costs, but instead of providing compensation for the increased burdens of the paperwork, the minister gave herself the ability through regulation to impose new fees—again, for things like licences and licences. We have no idea what the licences would apply to, but yet there it is: the ability to charge fees for licences.

Section 64 of the bill says: “The minister may make regulations governing fees under this act, including,

“(a) requiring the payment of fees;

“(b) prescribing fees or the manner of calculating fees for the purposes of this act and regulations and for services provided under this act”—so we can send the inspectors in and she can set a standard of fees to pay for the inspector to come and inspect the property;

“(c) prescribing fees or the manner of calculating fees that are payable under this act in respect of applications for permits, licences, registrations, certificates, amendments and renewals of any of them and other administrative matters....”

Nowhere in the minister's remarks does she explain how new fees would improve animal health, human health or food safety. Nowhere does she explain why new fees would be required.

If the minister would just talk to the farmers, she would hear that they can't afford to pay more fees and they can't afford more paperwork. They are struggling to hold their farms, feed their animals and keep the lights on.

I do want to go directly—and this will make the Speaker very happy, I'm sure—to dealing with the bill section by section.

While we agree with food safety, this bill goes too far in removing the rights of individuals, in many cases without any foreseeable benefit to animal or human health, and in general terms I've explained that.

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We understand that in emergency situations, broad powers are required to allow disease to be contained quickly and effectively. I think everyone would agree with that. However, we need to ensure that the powers required in those circumstances are not abused in non-emergency situations. In many cases, it is because farmers are dealing with animal health and biosecurity that they are very cautious who has access to their farm

and their animals. If farmers believe that an individual has been on another farm where a disease is present, they may very well have very legitimate concerns about that person being near their animals. Except in the most urgent cases, where there is an immediate threat to animal or human health, we cannot allow legislation which overrides an individual's rights.

For instance, section 18 of the Animal Health Act allows inspectors to enter and inspect private property in a number of situations, including inspections for the purpose of “determining whether a person who holds a licence, certificate, registration or permit is carrying on an activity in accordance with the licence, certificate, registration or permit, including any conditions attached to it ... determining whether a person is carrying on an activity for which a licence, certificate, registration or permit is required under this act, where the inspector has reasonable grounds to believe that the activity is occurring.”

To me, I don't know why it takes that much explanation to say that if there is reasonable reason to believe that there is an infectious disease there, they can go in. But when you start talking about things that aren't licensed at all, we haven't yet heard how the minister is going to license them and how much they're going to charge for the fee to do that. Once you put the licence in place, the conditions you apply to the licence now allow someone without search or seizure warrants to go in and check to see what's going on in that barn. I think that's going well beyond the need to protect the health of the animals or human health.

But I think the bigger issue in this section is that this new inspector is being allowed to go into the private property not because there is a concern for food safety, not because there is a concern for animal or human health, but because there is a concern about whether the farmer has all the paperwork in order. I don't call that an emergency. I don't believe that checking out to make sure that a farmer has the right licence is so urgent that an inspector can't take the time to get the consent of the farmer to enter the property or to go to the justice of the peace and make the case that there is a requirement for inspections of the property.

The same problem occurs in section 58, which states, “A person who has authority under this act to order that a thing be done on or in any place also has authority to order any person who owns, occupies or has the charge, management or control of the place to permit access to the place for the purpose of doing the thing.” The police may be able to lay a charge inside a home, but that doesn't give them the right to access it without a warrant or consent, and this is the problem. This is giving more powers to the individual who is doing inspecting on behalf of chief veterinarian or on behalf of the minister than the police officer has. Inspectors shouldn't have the automatic right to access just because they can lay charges.

This bill outlines a number of other situations which a warrant is not required in section 41, which states, “If an inspector has reasonable grounds to believe that there is

something at or in a premises or on or in a conveyance that will afford evidence of an offence under this act but that the time required to obtain a warrant would lead to the loss, removal or destruction of the evidence, the inspector may, without a warrant, enter and search the premises or conveyance." I would suggest that if whatever it was that the inspector was inspecting for can completely disappear in the time it takes to give a warrant, the risk for protecting the health and safety of our animals or our people isn't really relevant. If the risk is gone by the time we have the warrant, then I don't think the risk was there in the first place. I don't believe that that's an emergency situation that would require entrance without a warrant.

We need to be very careful that we are not removing the right of an individual unless it's absolutely necessary. For instance, without obtaining a warrant, this bill allows inspectors to access private property that isn't even related to the property being inspected: "An inspector who has the power to enter any land, building or other place under sections 41 and 42, and any person authorized under this act to accompany the inspector, may enter and pass through other private property for the purpose of reaching the land, building or other place." So now we have an entry across someone else's property who has no connection to the suspected offence, and we don't need to get a warrant for that either. Again, I believe that that's going beyond what we need in order to accomplish it. When it is an emergency, why is it too much to ask the inspector to go through the proper channels and have permission to cross the land included in the warrant? Shouldn't the farmer who is on the adjacent property have the say of who crosses their property or is exposed to his animals?

I also want to raise the concern about section 30. This section says that people carrying out orders issued by the minister or chief veterinarian may, if authorized by warrant, "use reasonable force." Now, the people carrying out these orders, such as euthanizing an animal, are likely to be vets or experts in animal health. I believe that expecting them, or even giving them the right, to use reasonable force puts them in an unfair situation. I expect a vet to be an expert on animals, not on how to use force.

The bill clearly states that the inspector may ask the OPP to accompany them when required. OPP officers are trained to deal with difficult situations. Wouldn't it make more sense for them to deal with the issue involving force? Why would we create a situation where untrained people are allowed to use force or act as a secondary police force? Again, I think it goes well beyond what we needed to do to correct the situation to deal with what the minister said the act was for.

Many agriculture organizations asked for the Office of the Chief Veterinarian, and I want to commend the minister for the appointment; I think Ms. Stark will be a very good chief veterinarian. The legislation to ensure that in an emergency situation, he or she has the power required to take action to protect the health of Ontarians, the health of animals and safety of our food supply, I think is very important.

Specifically, the agricultural organizations ask that in an emergency situation involving animal health, the role of the chief veterinarian be equal to that of the chief medical officer of health, and I agree with that. The Ontario Cattlemen's Association said in a recent e-mail, "It is essential that the Office of Chief Veterinarian for Ontario is recognized as an equal component of Ontario's emergency management authority, and that the OCVO is given the resources necessary to effectively implement Ontario animal health legislation."

So it is disappointing to me that the proposed requirements for the chief veterinarian are of a lower standard than those of our chief medical officer of health. For instance, in order to be appointed the chief medical officer of health, that person must have been a practising physician for five years. It seems logical there would be a similar requirement for the chief veterinarian. It would ensure that the chief veterinarian not only has expertise but has at least five years of hands-on, practical experience. The chief veterinarian must not only be an expert on animal health and disease; he or she must also be knowledgeable about farming and farming processes. I want to point out that our current chief veterinarian, Deb Stark, spent five years in a mixed veterinary practice before joining the Ministry of Agriculture, and I'm sure she uses that experience frequently in her work.

I was also disappointed to see that the Legislature requires the chief veterinarian to be an employee. While the best candidate for this position may be a current employee, I think we can all agree that this is a very important role, and limiting the number of experts who can be appointed to this position seems contrary to the goal to ensure that Ontario has the best protection for our animal health. Once we put the best expert in the role of chief veterinarian, we must respect that expertise and give them the resources they need to do their job. Yet, in the very section of the bill that establishes the role of the chief veterinarian, the minister is given the authority, through regulations, to clarify, modify and restrict the chief veterinarian's authority. Why appoint an expert and then restrict their ability to do the job that they need to do? It seems counterproductive, to say it in a polite way, that at some point, because the chief veterinarian believes something needs to be done against the wishes of the government of the day, the minister could, by regulation, stop them from doing it. It just doesn't make sense. This allows the minister to overrule the chief veterinarian based on political influence. If there is an animal health disease outbreak in Ontario, we need to be careful that the decisions that are made are based on expertise and scientific research, not political influence. I think that's so important. I think of the first time I read the whole bill; that was the number one issue. If we're doing it for the public safety, we need to make sure that the best possible public safety that we can put in place, we put in place and we don't have a system where that can be overruled for other considerations.

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In their submission, Ontario Pork asked that the Office of the Chief Veterinarian "be given the authority to act

independent of the Minister of Agriculture, Food and Rural Affairs in reacting to specific situations that may place human or animal health and welfare at risk and placing Ontario in a clear leadership role by removing the potential perception of political interference in such emergencies.” This bill should be amended to ensure that the chief veterinarian has the authority to do their job, and I couldn’t agree more with Ontario Pork in that instance, that that office, if we’re going to have it, would have the authority to do the job properly.

As we consider this legislation, I think it is important to recognize that the animal health legislation and traceability system are sometimes—that it’s the legislation the agriculture industry asked for. I know there are a number of things in this bill that they will object to, such as new licences and permits, and I spoke to those. But I think we need to recognize that the industry’s goal is the same as is stated in the legislation. Farmers know, probably better than government, the impact of animal disease on their industry. Even diseases that don’t have a serious risk to human health can have a huge economic impact on the industry. I have to admit that I was surprised at how heavy-handed and punitive this bill seems.

We need to be able to deal with cases where there is negligence or fraud, but, at the same time, the inspectors need to be able to deal with lesser cases. This bill defines not only the maximum penalty but requires that people who are convicted of a first offence face “a fine of not less than \$1,000” per day “on which the offence occurs or continues.” This can include a member of the public who saw a hazard but didn’t know they needed to report it. This could include someone who failed to answer a question from one of the inspectors, and it could even include a person who is implementing an order of the chief veterinarian if the chief veterinarian had decided to implement the order themselves.

As well, if a person is convicted under this act, anything that has been seized, from animals, animal by-products to storage vessels and “any other thing seized in connection with the animal,” is all forfeited to the crown in the right of Ontario. The value of these items could far exceed the maximum fine.

I’m also concerned with section 40, which allows the director or inspector to file a notice requiring someone to pay an administrative penalty up to two years after the director or inspector found out about the contravention or should have known about the contravention—not two years after the contravention or offence, but two years after the inspector knew or should have known about it. That goes well beyond the norm, and I think it’s very, very punitive. I understand that sometimes it may take the inspector time to determine whether something was done incorrectly, but allowing the inspector two years after he found out about the problem seems unreasonable to me.

I’d like to also talk a little bit about the compensation. Section 26 says that the minister may provide compensation, leaving it up to the minister’s determination. In a recent e-mail, the Ontario Cattlemen raised a concern

about the section and asked for additional clarification. In fact, many of the agriculture groups gave their support on the condition that proper compensation be provided. For instance, the chicken farmers said in their submission that regulation-making powers are appropriate, provided there is an adequate compensation package. This section, as it is currently written, means that it is up to the minister to decide the compensation the farmers deserve. It also means that the decision may be made based more on budget implications or political science than what the farmer deserves. I think it is an indication of how compensation is viewed by the minister and the ministry.

At the briefing I received last week, compensation was described as discretionary. That same wording was used in an internal briefing for ministry staff. Discretionary is well beyond what the farmers are expecting in this. It’s implying that, if the ministry decides that the budget is already stressed this year, this may not be able to be covered. So if it’s discretionary, she has all the power she needs not to pay it, and I think that’s wrong.

This means that an inspector or any other official could order that a farmer’s livestock be destroyed as a preventive measure and that it is up to the minister what compensation, if any, he should receive for those animals. After dealing with this government on the cost of the greenbelt, the cost of endangered species and the cost of the Clean Water Act, farmers are understandably a little concerned that that compensation is not clearly defined. I think even the minister would agree that it would be better if it was clearly defined what the compensation was going to be.

In their submission, the Ontario Cattlemen’s Association identified a number of other circumstances in which farmers should be eligible for compensation, including losses from quarantine, extra feeding costs, lost market value due to weight or age and testing costs. All of these seem to be missing from the current version of the bill.

Again, I point these out because I think it’s so important that the government, in their presentation, used the support of all these organizations that supported the bill on condition that these things would be dealt with. So far they haven’t been dealt with, and I’m hopeful that as we go through these when it goes to committee, they will be dealt with. While the stated goal of the bill might be admirable and one we can all agree on, it’s once again in the details where the legislation fails. Again, this is in a number of other areas we’ve had before.

I want to mention a few of the sections that should be reviewed to ensure that we have the very best animal health legislation possible.

Section 7 requires that all people report hazards, and makes it an offence not to comply. The challenge is that most people would not recognize a hazard and would be unlikely to know what to do if they saw one. One of the agriculture groups rightly pointed out that if a farmer has a sick animal and doesn’t recognize the disease, the first call is likely to the vet, not the chef veterinarian.

Section 11 protects people from repercussions if they incorrectly report a hazard, as long as it’s done in good

faith. While it is important to have that protection to ensure reporting, there are also some concerns that this may allow frivolous false reports. This happens in a lot of facets of our lives: Somebody wants to get back at someone and they report them, and it could cause quite a challenge to the people who are mentioned in the report. In fact, visibly making an exception for any frivolous reporting, that they would be exempt from prosecution, I think is going a little far the other way to make sure we have people running around who could use this for the wrong purposes.

One of the challenges in this legislation is that it must deal with different levels of urgency related to animal disease outbreaks, from observation to the need for immediate action to ensure the disease is contained. Section 20 deals with cases where there is an extreme urgency, allowing inspectors to issue orders orally. If issuing them in writing would delay it, I think we can all agree that in an emergency situation that seems like a reasonable thing to do.

However, the bill goes on to say that the written copy of the order does not have to be delivered until seven days after the oral one is given. So this gives the person seven days to put it in writing. Since the information about how to appeal the order is contained in the order, and the owner or guardian is likely ordered to take action sooner than seven days, this effectively eliminates or at least severely limits the ability to appeal the order. We have seven days to appeal the order from the time the order is issued orally, but we don't get the written order saying how we can appeal it until seven days later.

In fact, section 34 outlines the process of reviewing inspectors' orders. It requires that the request for a review be submitted within seven days. If the written order is not delivered for seven days, this leaves the person receiving the order with little or no time to appeal after receiving the order.

There are times when members of the public look at government action and legislation and just shake their heads. They wonder where the common sense has gone. I think section 29 might be a good example of that. This section says that in certain circumstances the chief veterinarian can, instead of simply issuing an order, take action to implement the order. This covers a number of reasonable situations, such as when a person has refused to implement the order, cannot be served with an order or is requesting assistance. However, one of the circumstances outlined is that the person "required by the order to do the thing ... is not likely, in the chief veterinarian for Ontario's opinion, to comply with the order in accordance with its requirements." So the chief veterinarian has the right to implement the order simply because he or she thinks the farmer wouldn't comply with it; not because it's urgent, not because the farmer has said they won't comply with it, but simply because the chief veterinarian doesn't think they will do it.

1520

The next clause is the one that causes people to question whether there is still common sense in government.

It says, "A person who receives a notice under subsection (2) shall not do the thing referred to in the notice without the permission of the chief veterinarian for Ontario or his or her designate." So the person whom the chief veterinarian doesn't think will implement the order is now forbidden from implementing the order.

If, for instance, the order was to euthanize one of the animals, the chief veterinarian can decide that the farmer won't likely do it and can take over without ever giving the farmer a chance to do it in the method he chooses or the timing he wants. If the farmer is ready to implement the order earlier than the chief veterinarian, he can't do it. Even though he never said he wouldn't comply with the order and his goal is likely the same as the chief veterinarian's—to protect the animal's health—it is in fact an offence to implement the order and could result in the farmer being fined or having some of his assets seized.

It just doesn't make sense that you could have the kind of quagmire where the order is given, they can't implement it, but the chief veterinarian can come back and implement it. If you want to implement it before he gets there, you can't do it because you have to have the chief veterinarian's permission to do it, and he can't come there until he is going to come and implement it. It just doesn't make any sense.

Section 34 of the legislation outlines the process for reviewing and reconsidering an inspector's report. There is one part of this section I want to read, because I think it is a cause for concern: "If, within seven days after receiving a written request for review or a written confirmation of an oral request for review, the director does not make a decision under subsection (6) and serve notice of the decision on the person requesting the review, the director is deemed to have made an order confirming the order of the inspector."

What this means is that if someone is appealing an order and no one from the government looks at that for a week, the appeal is turned down. So if the paperwork gets misplaced or someone is on vacation, the appeal gets turned down. I don't think that's a sufficient answer for the farmer who appealed the order. It is possible that the inspector who issued the order made an honest mistake and the farmer is trying to have it corrected. It is also possible that the mistake is going to have serious financial consequences to the farmer. I don't think it's too much to ask, before the farmer spends the time and money to comply with the order, that the director have the time to respond to the appeal.

If you need to add a clause to deal with outbreaks where there might be a large volume of appeals, then there should be an amendment to that effect. It shouldn't be handled by lowering the level of responsibility on every appeal. Our government has a duty to be there to help our farmers. We should be trying to increase the standards and be more responsive.

I want to reiterate that the PC caucus supports food safety and animal health. We believe the industry has been taking important steps to implement traceability and food safety systems, and we support their efforts. We hope that steps can be taken to move traceability systems

forward and ensure that proper compensation is provided. We are willing to work with the government to ensure that this bill accomplishes the goal of improving animal health and providing the tools to deal with animal disease emergencies without necessarily adding burdens on our farmers.

I want to just quickly read a couple of responses—I know we've had some discussions about the support, or lack thereof, for the legislation, and we have some comments back from organizations. The first one is from the Ontario Cattlemen's Association, which of course is one of the sectors of our agriculture community that is very much impacted by the legislation and the enforcement of it:

"OCA appreciates that traceability is a valuable component of a strong animal health system. We have encouraged Minister Dombrowsky to follow the national approach started by the Canadian Cattle Identification Agency, which is industry-led. Our chair met Minister Dombrowsky in June and was able to explain some of that approach to her in the time he was given. We know traceability is a priority of both the federal and provincial governments and are willing to work with them to properly implement traceability in Ontario.

"The reason we are lobbying this approach is that CCIA has already implemented an animal identification system that is supported by the Canadian cattle industry. CCIA is also capable of capturing premise ID data and full animal movement tracking and OCA would not oppose mandatory premise ID, as long as registration is captured in the already existing CCIA database, and not through another new registry.

"With all the challenges we're already facing, from a profitability perspective, Ontario cattle producers should not be placed at a further competitive disadvantage to other Canadian cattle producers. While we acknowledge that Quebec has a mandatory traceability system, Ontario needs to be competitive with the western provinces as our supply chain is integrated with the west, so we also requested that no additional costs be placed on Ontario beef producers.

"OMAFRA defines traceability as: 'the ability to trace and follow food, feed, food-producing animals or substances through all stages of production and distribution. In other words, traceability is the process of tracking an identified product (and its attributes) as it moves between locations.' OCA and industry are still unclear, however on how this definition would manifest itself in terms of industry, and we anticipate further details on that."

"We are hearing that the bill will be going to second reading next week so if you have any issues that you would like us to raise please let me know."

That is the information we got from the Ontario cattlemen. Obviously, on their behalf, I wanted to read that into the record, because that was their—and when I read that last line, it was because we asked them what their position was on the present act, and that was one of the things they wrote to us that they would like brought up in second reading of the bill. So we very much appreciate doing that on their behalf.

On the mandatory reporting part of it, we have a presentation from the Ontario Federation of Agriculture:

"The OFA recognizes that immediate reporting of certain animal health hazards is a crucial first step to organizing a response to an emergency and minimizing the negative impacts to the agricultural sector. Producers, however, are already subject to considerable administrative and reporting responsibilities. These administrative responsibilities impose considerable costs that are not necessarily reflected in the price received by the producer. As such, any reporting may be seen as a potential and significant burden.

"The OFA strongly recommends that the ministry establish a mechanism for mandatory reporting that does not invoke significant additional costs and does not contribute to further burden. To do so, a comprehensive mechanism for compensation should be developed and readily available."

Again, that was a reply from the OFA.

There are a couple of other ones here from the OFA. This is on traceability:

"The OFA insists that farmers not be forced to bear the cost of regulations that result in a public benefit. Although we are not aware of a definitive cost-benefit analysis, we believe trace-back systems will provide more benefit to the consumer than the farmer. Costs associated with introducing traceability must have a mechanism to enable implementation costs to be transmitted down the market chain to be absorbed by the consumer, or otherwise covered by government assistance programs.

"Traceability initiatives should be specific to and designed compatibly with individual commodity circumstances. They should move forward so as to not put Ontario animal producers at a competitive disadvantage relative to other national or international producers. Legislation must recognize only certain sectors will benefit from provincial level traceability programs, while other sectors would benefit from being organized under national and perhaps international traceability programs. Traceability initiatives should be driven by demand and should be reflective of each commodity group's capacity to adopt best practices and standards.

"Should regulations governing traceability become mandatory, any proposed traceability systems must be flexible to accommodate existing programs and any programs currently being proposed by commodity groups."

1530

There are a couple other paragraphs that I'd just like to point out.

"The stated goal of this proposed legislation"—this is again from the federation of agriculture—"is to safeguard the province from the negative health and economic consequences associated with serious animal health events—particularly emergency disease outbreaks. The scope of any new on-farm animal care and housing standards or regulations should be restricted to animal health emergency situations that require a rapid response to control and contain disease outbreaks...."

"The Ontario Society for the Prevention of Cruelty to Animals (OSPCA) has been given a mandate to protect all animals in Ontario. As the OSPCA Act has been recently updated, we believe this easily provides enough regulation to account for animal welfare issues."

They want to make sure that this act doesn't extend beyond the health issues for our animals and that the animal health issues remain in the animal health protection act.

Mr. Speaker, I hope that in the time I had, I did get back to deal with the issues of the act. We very much appreciate your indulgence and the time that you allowed.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Howard Hampton: I want to congratulate the honourable Mr. Hardeman, who, as the agricultural and food critic for the Conservative caucus, always distinguishes himself with his knowledge, experience and expertise. I think he has delineated for us here today exactly why this bill needs to go to committee: because there are a number of questions that need to be asked and answered not only for individual farmers, but for farm organizations, for food processors and for people across Ontario who consume food products.

I think there are a number of questions that he has raised that illustrate why this bill needs to go to committee and why a number of organizations need to have the opportunity to come and discuss these issues, and to raise solutions, or to raise with government the fact that perhaps the bill is not exactly as advertised.

New Democrats believe that public hearings should not just be held here at Queen's Park. Because this is a bill which has the capacity to affect farmers and farm organizations and, indeed, individual Ontarians from one end of the province to the other, New Democrats believe that public hearings should be held in a number of locations across the province, so that farmers and people in the farm community will have an opportunity to discuss further what exactly is in the bill, what exactly isn't in the bill, how it's going to be implemented, what the mechanisms are going to be and who's going to pay for it.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments.

Mr. Rick Johnson: I appreciate the comments of the members from Oxford and Kenora-Rainy River, particularly the member from Oxford. I appreciate the experience that he brings to the debate, and I also appreciate that he has made some suggestions instead of just simply criticizing. That's something we don't hear around here all that often, so I appreciate that.

I'm very aware of the state of agriculture. Most of my neighbours are farmers. I've heard from them on a daily basis. I've asked them over the past couple of weeks, since this bill was introduced, to get in touch with me, to bring their comments to me, and directed them to the bill.

This bill is about protecting the agriculture industry. We all know what happened the last time there was an outbreak of BSE. The borders were closed. The industry

virtually shut down. Through the efforts that are being made in this bill, it is the hope that if there's ever another outbreak of any kind, we will have the system in place so that the whole industry does not suffer because of one or two cases.

It was interesting to hear the comments about inspectors made by the member from Oxford, in light of what happened with the inspectors we had during the end of the 1990s, nearly 10 years ago, and the problems that we encountered because of a lack of inspectors.

Our government has a very good record regarding bills going to committee, and I'm sure that this bill will go to committee to gather the input from stakeholders. That's part of what democracy is all about: hearing from the people who are most affected and most concerned about this bill.

Once again, I appreciate the comments that were made. I have taken copious amounts of notes, and I look forward to further comments as the bill is debated.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments? Now the member for Durham.

Mr. John O'Toole: I also want to compliment the member from Oxford, as everyone who has spoken relates to that, and thank him for the work he's done and for the points he brought to the debate on this important bill. I think we're going to kind of repeat much of what he said, which is clearly the duty in the two minutes here: to say that we support the goals of food safety and animal health. Certainly, I think, all of us do.

Sometimes you wonder what else is in the bill. When you look at this bill—and I think the members pointed it out—it's just riddled with red tape. That's really a cautionary note to all members who are trying to serve their constituents. My riding of Durham is one of the richest parts of agriculture in Ontario. Often we think of everything west of Yonge street being the food basket of Ontario, but certainly east of Yonge street is very, very innovative, creative agricultural—agri-business that I will be speaking about in the time that I will be allotted.

There's no better spokesperson on our side than the member from Oxford, and I think that it's like the OFA—we kind of wait for them to come up with the response to these things, and they have their concerns. They've put them on the table.

The member from Oxford raised a point, and the minister may have two minutes here to respond. Are you going to have public hearings? We don't want the song and dance, the soft shoe, skating around, figure skating. What we want is a yes or no? Or are you waiting for Premier McGuinty to run the show here, as he has with eHealth and the other things too?

My point, though, is that we believe it's a laudable objective. I think all Ontarians understand that. But when you peel off the skin of the orange here and get into the layers, you are going to find it's more like a pomegranate. You're opening up a whole bunch of seeds, what I call regulations. I'm concerned. Quite honestly, if they're going to have to pay for their own livestock identification issues, this is just more tax—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Questions and comments?

Mrs. Maria Van Bommel: I just want to also add my comments to the presentation made by the member for Oxford. There are a few things I want to remind the member of. You were talking about the licensing. We are repealing three acts and incorporating them into this one, including the Livestock Community Sales Act. When I look at page 9, when you talk about section 12, and I read through it, I see licensing as it relates to livestock yards and the ability to repeal, take away, or refuse to license those types of entities. I think that's appropriate inside this act, since we are, as I say, bringing three other acts into this one as well.

I also want to just kind of quickly touch on the issue of the warrants. The member from Oxford talked about the ability of an inspector to go on to a property without a warrant. I am reminded of the "Shoot, shovel and shut up" syndrome, which we heard about before. It is possible. As a farmer, I can tell you that if I wanted to hide something, I could do it quickly enough, and it would be very difficult for an inspector, after the fact, to come in with a warrant and prove that there was an issue or a problem on my farm. It can be done. As I said, we talked about that when we heard—and many farmers will say, to avoid a problem, "Why don't we just hide it?"

It does our industry no good to pretend something isn't wrong. As a matter of fact, it's not only a danger to the farmer's operation, it's a danger to his neighbours as well. So we need to have the ability, if there is a real suspicion that there's something wrong, for an inspector to go in—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. The member for Durham, you have up to two minutes to respond.

Mr. John O'Toole: Oxford.

1540

The Deputy Speaker (Mr. Bruce Crozier): Oxford—I've done that before and I apologize.

The member for Oxford.

Mr. Ernie Hardeman: Mr. Speaker, I just want to point out that it's easy to do. Obviously, you just made the wrong turn when you left Toronto.

I want to thank the members from Kenora–Rainy River, Haliburton–Kawartha Lakes–Brock, Durham and Lambton–Kent–Middlesex for their comments. I'm appreciative of the fact that just about everyone from the government side who has spoken said that of course this will go to committee. I think it's very important that we go to committee and hear from all the stakeholders who have a vested interest in the results of this.

But I just want to point out that it's not only important to go to committee, it's also important that when we get to committee the discussion that takes place and the concerns that are expressed by the stakeholders reflect in the end result of the committee. As we've heard from the previous speaker, this government has a great track record of going to committee, but no one mentioned the track record of making amendments in committee. I

would hope that the minister would take that seriously and look at making this a better piece of legislation because of what happens in committee. As they may have taken, from the present structure of the committee—as I pointed out the concerns I had with the legislation, I find it very difficult to support it. With sufficient and the right amendments, I think the principle of what you're trying to do is very supportable, so I would look forward to working with the government to make sure we get a piece of legislation that is acceptable not only to the government but to all the stakeholders involved.

As it relates to the licensing, I would not be so concerned if I could be assured that the licensing only reflected on the sales barns act that is being repealed or the Bees Act that's being repealed, that it doesn't all of a sudden open the floodgates so you could put licensing in. You could actually issue a licence—and I'm just putting this out—for someone to keep broilers. Now that would not be acceptable to the broiler industry, would not be acceptable to the agriculture industry in Ontario, but the act allows that, so I would be concerned with that.

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Further debate?

Mr. Howard Hampton: On behalf of New Democrats, I want to indicate at this time that I will be sharing my leadoff time with my esteemed colleague from Trinity–Spadina, who has indicated he also wants to speak on this bill.

It is not my intention to repeat, chapter and verse, what my colleague from Oxford has already said, although I could raise a number of the issues that he has raised. Instead, I want to focus on a couple of areas where I think there needs to be more attention paid.

Let's start with what this bill is about. The government says, in the purposes and definitions section:

"The purposes of this act are to provide for,

"(a) the protection of animal health in Ontario;

"(b) the establishment of measures to assist in the prevention of, detection of, response to, control of and recovery from hazards associated with animals that may affect animal health or human health or both;

"(c) the regulation of activities related to animals that may affect animal health or human health or both; and

"(d) the enhancement of the safety of food and other products derived from animals that humans may consume or use."

So far, so good. This does sound like apple pie and ice cream, and who could be opposed to apple pie and ice cream? Well, I'm not here to indicate opposition; I'm here to indicate that when someone says, "We're offering you apple pie and ice cream, and isn't this wonderful?", you should look carefully and thoughtfully and ask some questions.

It seems to me that one of the big issues in terms of protection of food safety, especially when it comes to animal products, is traceability. You want to know that somebody got sick from eating this food, and Lord knows we've had some unfortunate examples here in Ontario. We've had examples in homes for the aged and

nursing homes. We've had examples in restaurants. We've had examples in meat-packing and meat processing facilities. Some people died; many other people became very ill. So one of the things you want to be able to do is take the incidence of this disease, this affliction, this illness, trace it back, find out where it came from, how widespread it is, and what needs to be done to protect the public.

Traceability, when it comes to animal products such as meat, is incredibly important. I think many reasonable people would have expected that issues of traceability would have been front and centre in this legislation; in fact, that it would have occupied the main stage. I wonder how surprised people would be if they found out that there's only one section dealing with traceability. Subsection 33(1): "The minister may establish...." It doesn't say the minister "must" establish, but if the minister feels like it, "The minister may establish and oversee the operation of a provincial traceability system for animals, animal products, animal by-products and any other thing related to animals that is prescribed." Then there's subsection (2), "Requirement to take action and reporting to ministry."

That's all there is about traceability. There's nothing that says that the minister shall. There's nothing that lays out the meat and the bones about traceability. It simply says the minister "may." So, in the context where we have seen, in many communities, seniors living in homes for the aged and nursing homes where we've seen people die and we've seen other people become very ill, and this bill is supposed to address this issue of traceability and this is all there is, I'm left to ask, "Well, what's going on here?"

I know that oftentimes when you get a bill, you also get a press release. The press release may say wonderful, wonderful things. I think most Ontarians, a great number of Ontarians, want to see some effective traceability mechanisms. I'll just list them for a while.

It will obviously be a very important issue for farmers. For farmers who grow beef, grow pork, who raise poultry, this would be a very important issue. This would be a very important issue for food processors. This would be a very important issue for food wholesalers and food retailers. This would obviously be a very important issue for restaurants, nursing homes, homes for the aged, hospitals. This would be an important health and safety issue for all those people across Ontario who say to themselves, "You know what? I'm going to Buy Ontario. I'm going to make sure I buy pork, beef, poultry that's grown and processed here in Ontario." This would be an important issue for Ontario's reputation, and this would be an important issue for Ontario's economy, given that we have a very large farm sector in this province. All of these people would be interested in this, and yet I read the bill and there's just one section; nothing more. I guess if there's only one section, one has to ask, "Why is that, and what could be happening here?"

Well, I've seen legislation like this before. I remember seeing the Clean Water Act. The Clean Water Act, if you

read it, sounded as if, boy, we were just going to have all of these measures and all of these mechanisms and structures to ensure that people have clean, safe drinking water, except that there was an important detail left out: who was going to pay for this. The more we read the bill, the more we realized that the province was going to pass the legislation, but it was municipalities that were going to be forced to pay for it. Municipalities didn't have any money. Municipalities were already saying, "Look, we're already stretched a dozen ways in terms of paying the bills, and we don't have the money to pay for this new infrastructure. We don't have the money to pay for these new mechanisms."

So I'm left to wonder if that's what is going on here: The province may establish a food traceability system if the federal government is prepared to pay for it. My sense is, if that's the case, then there's not much of a food traceability system here at all. That's like saying to the public, "Hey, we're going to establish wonderful regulations, but in fact the regulations don't mean anything because somebody else is supposed to pay for it."

1550

If that's not the case, if the federal government is not going to pay for it, I guess I'm asking: Are farmers then going to be forced to pay for it? If that's the case, I think this leads to even more difficulty, because I think all of us know that all you have to do is pick up a daily newspaper from virtually anywhere in the farm sector, the farm communities of this province, and you know that farmers are really facing a very difficult time. I doubt very much that farmers would have the bank of income or the bank of money in the vault to pay these additional costs.

So all of us in Ontario who care about food safety and want to see an effective traceability system for things like pork, beef, poultry and other meat products need some very clear answers from the government. Who is going to pay for this? How is it going to be paid for? But we also need some very clear answers on what this thing looks like. What does it mean: "the minister may establish"? If this is a really important part of food safety, then it seems to me there needs to be something more here than "may establish." There needs to be a commitment that this "shall" be established, and a commitment as to exactly what the mechanisms are going to be, how it's going to be paid for, who is going to pay, and what the impact is going to be on farmers, on processors, on all of us in terms of better food safety, better food protection. For this reason, New Democrats believe that this bill has to go to committee and these questions have to be asked and answered.

I want to raise some other issues that I think need to be addressed. We've heard from farmers who have said to us, "You know, sometimes in the past, the term 'food safety' has been used to justify things that have nothing to do with food safety." It's been used to put in place regulations, requirements, that are marginally related to food safety if related to food safety at all.

Let me give you just a recent example: Turkey Farmers of Ontario. I think Turkey Farmers of Ontario

are a good organization. They're in charge of organizing the growing, raising and production of turkeys in the province. But they recently passed a regulation restricting turkeys from being raised out of doors on a farm or going out of doors on a farm. The argument that was used was that if you had free-range turkeys or turkeys that were allowed to get out of their confined space for a while and go outside, this might contribute to them contracting and spreading various diseases; let's say, for example, the avian flu. And so they put in place a regulation which says, nope, you cannot raise turkeys out of doors, and if you are a turkey farmer who operates under their auspices, you can't let your turkeys out for the purposes of any sort of free-range activity.

Others may want to introduce evidence on this, but I think there's pretty questionable evidence to suggest that turkeys that are allowed time out of the barn or out of the containment area are necessarily going to be at greater risk of contracting avian flu or some other kind of disease or affliction. I think there's questionable evidence of that at best. Here's a case where, supposedly, a regulation was being enforced in the interest of food safety when I don't think that was the case at all.

Now, there were some pretty negative repercussions about this because, as many people in the Legislature know, one of the requirements, if you want to be certified as an organic farmer, is that animals such as turkeys must actually have access to the out of doors. They do have to have some free-range activity and some free-range opportunity. So in this growing market of organic food products, where people who want to purchase and consume meat and other products that have been raised organically, turkey farmers in Ontario are being shut out of that because the regulation says, "No, you can't let turkeys out of the contained area, out of the barn, and let them have free range, even for a limited time."

The regulation was even upheld by an OMAFRA food tribunal, although now that the issue is on television, on the radio and on the front pages, the minister has decided that perhaps this is an unpopular political position to be in, and so there may be some movement here.

I think we want to be thoughtful and ensure that, with this bill, we are dealing with and addressing issues of food safety and that there aren't going to be measures that can be used for things other than food safety. For that reason, I think it ought to go to committee and be subject to some careful re-examination and cross-examination.

There are other issues that I think need to be examined as well. One of the points that has been made by farmers in my part of the province is that they say, "Look, all farmers care about food safety, and we all recognize that Ontario, as a province, needs to be recognized as a jurisdiction that cares about food safety, that is promoting food safety and that is putting in place mechanisms to ensure food safety." But many of the farmers in my part of the world are small. They don't have huge farms. They aren't connected with corporate farm organizations that finance them and advance them money. Most of the

farmers in my part of the province are working off-farm as well as on-farm in order to survive.

What they've said to me is, "One of the problems we have with some of the things that have been done is that they seem only to work for the large agri-business corporations. Those of us who are small farmers are frankly being put out of business by some of these things, because it seems that when the regulations are implemented, the cost of complying is such that we can't do it, and so we're put out of business."

Since there has been no discussion about the one section—food traceability—just a bare section by itself, no mention of mechanism, no mention of who is going to pay and how they're going to pay, I think this is an issue that needs to be raised. I think it would be really unfortunate to have legislation that is supposed to ensure food safety and greater food safety simply used by big operators to put more and more small farm operations out of business in Ontario.

Let's remember that some of the problems we've had with food safety have in fact happened at some of the very large corporate operators. For somebody to point the finger at a small farmer who is raising beef, pork or poultry and say, "You're the problem, you're the issue," just wouldn't stand up, given the historical realities we've seen in this province and in this country over the last couple of years. So we believe that the legislation needs to be looked at from that perspective as well. I don't want to see a body of regulations which has the effect of literally forcing a lot of small producers and small processors out of production because the only people who can afford to meet the requirements are people who have big corporate pockets. In my view, that's headed down the wrong road.

1600

I want to also raise the issue that the government has apparently, to many farm organizations, given the understanding—the officials have spoken of their intentions to set up an advisory council to advise the chief veterinarian on when intervention in a particular area may be necessary. But do you know what? There's no mention of this in the bill, and there's no delineation of how the advisory body would work. I'm a little troubled by that. I'm a little troubled by that because, again, if we look at this government over the past six or seven months and we just cast our eye on the whole eHealth thing, where a lot of money was blown out the door—\$1 billion—what we see are people who were connected to the Liberal Party, to Liberal cabinet ministers. These were people who were not accountable. These were people who were not subject to some sort of accountability mechanism. I think the report that we got from the auditor is that this was rather like a free-for-all—one of the worst examples he has seen.

I'd like to see the mechanism for the advisory council in the legislation: who is going to be appointed, how they're going to be appointed, what they're going to be representative of, what their accountability mechanism is going to be. I don't think anybody wants to see another

repetition, even a minor repetition, of the eHealth scenario, where \$1 billion gets blown out the door and all you can find is a number of people who are well connected to cabinet ministers or well connected to the Liberal Party who made a lot of money. I think that's a problem.

Mr. Bob Delaney: On a point of order, Mr. Speaker: I don't believe the matter that the member is addressing has anything to do with Bill 204. I bring to your attention standing order 23(b), which directs that a member be called to order if he or she "directs his or her speech to matters other than ... the question under discussion."

The Deputy Speaker (Mr. Bruce Crozier): I think all members are aware of that, and we all listen closely. I'm sure the member will adhere to that.

Mr. Howard Hampton: As indeed I am adhering to it. I always notice that when you bring up some of these issues, Liberal members are quick to get to their feet out of embarrassment, as they should be embarrassed by it all.

There are a couple of other issues that I think need to be addressed and examined in the context of this legislation, which are reasons, again, why this legislation needs to go to committee. Let me just raise them generally because I believe my colleague from Trinity-Spadina wants to speak about them or at least speak to them.

Again, one of the things the government seems to be advertising is that this bill is also going to do something about animal welfare, animal well-being and the environments in which farm animals are raised. Indeed, there's lots happening on that front. If you look at some jurisdictions in the United States, if you look at the European Union, recent legislation has been passed. If that's the case—and I think my colleague from Trinity-Spadina wants to look at some of this—I believe that we need to be very clear about what exactly the government is proposing here, whom it's going to affect, who's going to pay for it and what the mechanisms are going to be. We believe that's another reason why this legislation should go before committee.

There are real issues of animal welfare. There are real issues of the environment in which farm animals are raised. Again, if the government is advertising that it's doing something on this front, we'd like the government to be very specific about what it is and, again, what the mechanisms are going to be and who's going to pay for it.

Having said that, I said at the outset that I wanted to share my time with my colleague from Trinity-Spadina. I know he has a number of comments he'd like to make as well.

The Deputy Speaker (Mr. Bruce Crozier): The Chair recognizes the member for Trinity-Spadina.

Mr. Rosario Marchese: Thanks to my colleague from Rainy River. He has covered a lot of ground, as did my friend Ernie from the Conservative Party. I think they're much more knowledgeable about these issues than I will ever be, so I won't have anything novel to add, except to

repeat some of the things that I have heard and that have worried me about whether or not this bill moves in the direction we hope it will.

The first point I wanted to make about this bill—and, yes, we agree with the whole aim of protecting animal and human health by preventing the spread of livestock diseases and by enabling an effective response to animal health issues. It's really impossible to disagree with the aim of the bill because we share these objectives. We know there is a need to improve food safety for human health. In the summer of 2008, deaths from listeriosis made this abundantly clear. We need to be able to respond more quickly to outbreaks, so it's good that we are dealing with this bill.

I have to say that after so many years of various groups talking about having an animal health act, we are finally dealing with such a bill. We're last in Canada, as a province, in terms of introducing an animal health act. Some might say, "God bless; it's about time." It did take us a whole long time, and one has to wonder why it took so long, and why, when we are the wealthiest province and we're so proud of leading on so many fronts, we haven't been able to lead on this one.

So, one has to say that this is good. It took a long four years to consult various groups about what to include in the bill. Presumably, the ministry had to look to all the different provinces that had various bills so that they would know what to do, because I'm assuming they don't want to break any new ground on their own. They had to be very careful about what was introduced, making sure that we don't go too far to the right or too far to the left but just land somewhere nicely in the middle.

You had a great deal of experiences across Ontario to be able to say, "Okay, we don't have to do a lot of work here. It's already done." Given that so many other provinces have had an animal health act, I say: Why has it taken us so long? Rather than asking that question—it's pointless, because the way Liberals deal with these issues is to say, "We are dealing with it. We're forging ahead. Let's move on. Let's not look back." That's often the response they give you to so many different types of issues. So what are you going to do except deal with what is before you, rather than dealing with problems we've had that prevented us from being able to introduce such a bill? It's before us and we're dealing with it. That's the first point I wanted to make.

The second point is about traceability. As far as I can tell, what we have is a voluntary code of traceability. What exists at the moment and what is likely to exist for a long time vis-à-vis traceability is that it's going to be voluntary. My colleague and friend from Rainy River made reference to the section, section 33, regarding traceability, and I have to admit I am a bit puzzled as well, because I thought that if you wanted to deal with a disease and containing it, if you don't have an adequate system of tracing it to its source, you've got a problemo. But if you don't have a traceability system that's mandatory, that's going to kick in right away so that if an

outbreak does happen you know exactly what to do and where to go, what are you going to do?

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Why is it that we are happy to make this an ongoing, voluntary kind of activity? Why are we waiting for the feds? Why is the language so inconclusive and less prescriptive? Why do we say, "The minister may establish and oversee the operation of a provincial traceability system for animals, animal products, animal by-products and any other thing relating to animals that is prescribed"? Why are we doing that?

That I find puzzling, and I know there's got to be an answer. I'm sure Mr. Hardeman has made reference to this already—I missed the entire speech—but I'm not quite sure whether he made reference to why—the member from Oxford. But I suspect that the reason, if you haven't given the reason, was that they're happy to force the government—wittingly or unwittingly, willingly or unwillingly, by design or lack of it, by doing or not doing, by simply standing still—hope that the federal government is going to force the provinces to have a traceability system: force or oblige or simply bring a system in place. The question is, why would they do that?

I suspect—and the member from Oxford might confirm this if he hasn't already done so—that they want the federal government to introduce a traceability system so they pay for it, which I guess is not a bad strategy if that's the argument, except the problem is, if we want a traceability system today—because there may be some unforeseen outbreak that could happen at any moment—if we want the system today, we're not going to have it. We're going to have to wait for the federal government to introduce such a system, thereby freeing the provincial government from any financial responsibility or financial worries.

God knows we, provincially, are going to have a huge deficit. The deficit stands at \$18.5 billion, and we all suspect it's going to be \$22 billion, \$23 billion or \$24 billion. That will be announced shortly; I have no doubt about it. It's going to be huge. The feds have a huge deficit to worry about as well, and people might argue that, relative to the GDP, it ain't so bad, it ain't so big, but it's big.

Given past experiences of the 1990s where New Democrats had a \$10-billion deficit and you're going to have a \$22-billion deficit, I know there's reason to worry. I know. The feds are worried, too, so the feds are not that eager to introduce a traceability system that's going to cost them money. I suspect they're worried about that.

So they're waiting for the province, and the province is waiting for the feds. Who's going to do it first? In the meantime, we have no traceability system except that the bill speaks of it as if somehow it may happen. But it will never happen, because to do so would be to load the government with the prospect and the responsibility of having to pay the costs for traceability. That's why you're not doing it. That's why, I suspect, you are not doing it.

But if that's true, say it. Be bold. Be clear. Say, "We're waiting for the feds to do it." You could even be intelligent by arguing that we'd rather have a national system in place. You could say that. That would sound intelligent. I haven't heard you say it. I haven't heard the minister say it. But say that. Produce an argument that makes you sound intelligent as to why it is you aren't doing it. The minister—well, she might have her two minutes, but the parliamentary assistant would do it.

Minister, I was talking about the whole issue of traceability. I'm no expert on this, understand, but I want you to help me because you have the expertise and the knowledge. That's why I was addressing my comments to you and the parliamentary assistant in terms of why you're not introducing a mandatory traceability system today, so that once the bill is passed, you'll be able to do it as a way of preventing any outbreak, as a way of getting to the source. Minister, that's what I was saying earlier on. Your bill simply says you may do that, and we suspect you're not going to do that or, to use the vernacular, you ain't gonna do that because you have no interest in doing that. That's what I'm saying.

I was saying to the parliamentary assistant, when he argued in his two minutes against what we are saying: Just give me a reason why you're not doing it right away. I'm telling you that, as inexperienced as I am—because I'm not the critic—I am worried about this.

I'm looking forward to a two-minute response to assure me and reassure the citizens that you are keen on this and that you're going to deal with it somehow: today, tomorrow, but not sometime in the uncertain future, because that would worry me.

If we are worried about human health, and if we are worried about outbreaks, and if we know, as indeed we know, that these things are not something you can control, and if indeed they could happen at any moment, we need to worry about this problem of traceability. In your two minutes you might talk about how you're talking to the feds and what they're telling you and what you're telling them. I know that the minister said that somehow you're working on it or you were talking to the feds. I even got the impression that somehow you're kicking in some suggestions or even some money. It made it appear like there was a partnership when the minister spoke in her earlier remarks. But I suspect there is no partnership on this. I could be wrong. That's why I want you to clarify for me whether or not, in your discussions with the federal minister, you both have roles that you're playing separately and/or conjointly, because there's a conjoint responsibility towards this particular issue, at least as it relates to worries that we have. So this was a biggie for me. That was the biggest point that I wanted to make.

The other point that has been touched on is the powers of the chief veterinarian. On the surface, without having too much knowledge about how these things operate, I like the idea that the chief veterinarian has as much power as he or she needs to be able to deal with a problem as it happens. I just don't like the idea that we're

going to have to delay acting in the event that there's some outbreak that happens.

I understand the worries that some people have. I really do. And that's why the member from Kenora-Rainy River talked about the whole idea of having an advisory group of people that the chief veterinarian might speak to, consult with, meet with from time to time. I don't think it would hurt.

Mr. John O'Toole: Have lunch with them.

Mr. Rosario Marchese: You know, lunch, over some meat, some good red meat—absolutely. Absolutely. It would be good, in my mind, to be able to do that.

There's no reference to any advisory committee, no reference anywhere. It doesn't have to be in the bill, but there are bills that we have debated in the past where such things are mentioned in the bill, so that the chief veterinarian has a group to work with, giving confidence to all the various sectors that whatever the chief veterinarian decides is based on the advice of people in the field. That makes sense to me.

As much as I like the idea of giving this person such power, as much as I like it—because an outbreak needs to be dealt with expeditiously; we can't wait—I still believe that on a regular basis it would be good for the chief veterinarian to have the advice of experts in the field and to have the confidence of the experts in the field, wherever they are in Ontario. That would make me feel a little better.

We haven't heard the minister or the parliamentary assistant speak to this. I'm not sure how big this might be in their minds; I don't know. But if they have a comment to make, that would be fine with me.

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There's a third point, and it's a bit of a serious point with some groups. Some agriculture stakeholders have raised concerns that this bill may lead to the government overly dictating and circumscribing animal production practices in the name of health protection. My colleague from Rainy River talked about that. Industry groups want to limit the scope of the bill and the scope of regulations to emergency situations involving the containment of outbreaks. They do not want handling and housing of animals to be included. I think I understand it.

I know that it worries the Ontario Cattlemen's Association because they've raised this concern in point 5 of their brief under animal health promotion. They say:

"The OCA believes that animal welfare practices should not be included in the proposed legislation. The provincial OSPCA Act was recently updated, which, in our view, has ample authority to deal with animal welfare issues. The beef industry also has a code of practice for the care and handling of beef cattle, a joint effort between industry and agriculture and Agri-Food Canada. We feel these policy tools provide adequate care and handling standards during normal business. Should the legislation focus specifically on the care and handling of animals during a declared emergency, we request these standards be science-based and correspond to already existing protocols. The Ontario Farm Animal Council should be

consulted regarding animal welfare and animal health promotion."

They clearly have concerns about this. They don't want the government to go too far in this area, so they do want to limit the scope of the bill.

But some groups have argued that the broader animal welfare practices are covered by the OSPCA amendment and by the voluntary code of conduct—but here the OSPCA amendments exclude farm animals—and that, according to many, voluntary codes of practice are insufficient. When you look at how well the industry's self-regulation has worked at the federal level on food safety, you say, "I don't know about voluntary codes."

There are some folks who are worried about that on the other side of it. Other jurisdictions appear to be recognizing the importance of a more comprehensive approach to animal health, which includes the promotion of animal welfare. We know that the European Union's new animal health strategy recognizes the importance of public health and food safety, economic costs and animal welfare considerations. That paper is entitled "Prevention Is Better than a Cure" and has a key goal of promoting farming practices and animal welfare which prevent animal health-related threats and minimize environmental impacts. Clearly, protecting animal health is about more than controlling diseases. It's about preventing diseases in the first place.

What we have in this particular bill is a government that says to the industry, "Don't worry; we are not going to overstep our power." What it does at the same time, to those who are concerned about animal welfare as well, is give them the impression that their concerns are being dealt with as well. The problem is that at the end of the day, we don't have a clue who's going to be protected one way or the other, whether the scope of this bill is going to go too far in terms of what the industry's worried about or whether or not those who are concerned about animal welfare are going to feel good about the fact that this bill might indeed put into practice some concerns that they have.

This is a typically Liberal bill where two sides of a particular issue can take two positions, and both think they are right in the way that the bill is written to address or not address their concerns.

This bill is one that many people are going to support because it's time that we have an Animal Health Act before us. It is good that it's going to go to committee. We're going to get the various groups to come, debate and depute, and we're going to get a range of ideas that hopefully will be addressed in the bill. Hopefully we'll go across the province where we need to hear from all the various sectors and all the industries, big and small, in the north, south, west and east. I think and I hope that by the end of it we will have something in place that we can be proud of as a province.

These are the issues that I want to put forth. I know that many others want to speak to this bill. I appreciate many members listening to what I had to say.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. John O'Toole: The member from Trinity–Spadina did make a number of compelling points. I was most impressed when he talked about the Ontario Cattlemen's Association. I know he probably has to deal with that a lot in his riding. He did mention the idea of red meat, and I know that he does concern himself with food quality. Food quality is important to him, as it is to all of us. In that sense of sincerity, he really is speaking to the issues that he's heard from stakeholders.

I would put on the record too that he mentioned animal welfare as an issue, and I think it's an important issue and quite a controversial issue. If you probe into that whole idea in the broadest sense, animal welfare sounds like a laudable idea. They have legislation on the books, the prevention of cruelty to animals. The OSPCA is engaged in this discussion, I'm sure.

They're kind of pushing the envelope on this whole welfare definition, and so I think it's important to pay close attention to that remark the member from Trinity–Spadina made. I think it's all livestock, whether it's the feathers industry or the livestock industry more broadly. There's certainly the whole idea, when you look at the livestock industry—the PETA group might have an opinion on this. People for the Ethical Treatment of Animals is an important voice. I hope the minister, who is here—and I'm glad to see that. That's just one part.

The whole idea of food safety: We know that the federal government, under the Canadian Food Inspection Agency, has unilateral authority on this, and there's a certain amount of duplication. The section I'm most concerned about—the last 15 sections of the bill are all about regulation. Now, who can do what—

The Deputy Speaker (Mr. Bruce Crozier): Thank you.

Mr. John O'Toole: These are all important questions.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments.

Mr. Rick Johnson: I'd like to thank the members from Kenora–Rainy River, Trinity–Spadina and Durham for their further comments on this bill. Once again, they are much appreciated.

Much of the focus has been on the traceability issue. The federal government announced in July of this past year that they were moving forward on a mandatory comprehensive national traceability system for livestock, and this province has agreed to work with the federal government, as we've worked with them on a number of issues recently—some controversial, some not. I have a response here from the Ontario Livestock and Poultry Council in which they talk about traceability: "Premises registration for all agricultural operations and full traceability for livestock and poultry movement is a goal to work towards and one the OLPC supports."

This is very important to how this is all rolling out with the bill. This bill is about protecting the food source from the farm to the fork. It's about making sure that the industry is protected and has the safeguards in place so that our agricultural sector is protected when there is any kind of an outbreak or something, so the whole industry

does not collapse because of it. When we look at those issues surrounding food safety, there are concerns about overregulation or overlicensing. Farmers I have talked to and members from the sector are concerned that they are protected, that if something does go wrong, they know that they are protected and able to move forward and that they won't unduly suffer because of an outbreak of disease throughout the system. I believe that's what the intent of this bill is.

I appreciate the comments that have been made and I look forward to hearing more.

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The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Ernie Hardeman: I want to thank the members from Kenora–Rainy River and Trinity–Spadina for their presentations to the bill.

I just want to point out the point that the member from Trinity–Spadina was making on the connection between the animal health part of this bill and the traceability. Obviously the reason we want to stop an epidemic—that's why we want the ability to identify the area where we have a disease and we want to be able to confine it there. But the benefit of doing that, first of all, is to the spreading. The second thing, and I think this is so important and that's, I think, what the member was questioning the minister on, is that if you can't identify the product and trace it, then the ability to identify where the problem is and eradicate it doesn't help our trading problem. If our purchasers of our product overseas say that we have BSE in our province and we can identify where it's happening but we can't identify the beef we're shipping, then we might as well not have identified where the illness was, because they won't take our beef regardless, because we can't connect the product to the area. That's why I think it's so important, as he mentioned, that we have the traceability in place along with the ability to identify where the disease is and where the problem in our sector is.

One has to question at some point, I suppose, as to, if the federal government is presently working on a traceability program nationwide, why we would have the minister working on a traceability program that would identify the same diseases, only just in the province. Last I checked, we were still part of Canada. We have had legislation in health protection or in traceability; if we have a national program, it applies to everyone in the nation, including all of Ontario. So I think we would be better using our resources to support the federal government in coming up with these answers.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Mike Colle: I think it's interesting: The minister has been saying very clearly that in terms of helping our pork producers, there's a long wait for the federal protocols to be put in place so that we have a national program to protect our pork producers here in Ontario. Now we have the member from Oxford there saying, "Well, we should have just a federal program." So he's trying to have it both ways.

But here we're saying that we have a serious interest in helping our animal welfare legislation here in Ontario, with this protective piece of legislation our agriculture stakeholders have asked for. We have some of the safest practices in the world. Our consumers in Ontario have a great deal of faith in our farm products here in Ontario, whether it be our egg producers, our chicken farmers. We have great confidence in them because they've had a track history, a track record of excellent attention to detail, scientific protocols, tried and tested agricultural protocols. So we're doing that in this legislation.

We're furthering that history of excellence, of investment in technology that the rest of the world envies. The world takes this very seriously, the consumers take it very seriously, so this bill is an attempt to build on that foundation that our hard-working farmers and our agricultural producers have been engaged in for generations. They need this partnership to ensure that this confidence is instilled and enriched in our great province so that this great industry will thrive and flourish, because it is one of the safest food-producing entities in the world here in Ontario; we shouldn't forget that. But we can't sit back, like the Conservatives say, and not do anything. We have to be proactive with our partners—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. The member for Trinity–Spadina, you have up to two minutes to respond.

Mr. Rosario Marchese: The member from Haliburton–Kawartha Lakes–Brock makes a good point, of course, and that is that the feds are working on a mandatory traceability system. The problem for me is that working on it doesn't mean much. If it took us so long to have an Animal Health Act before us, how long might it take for the federal government, whether it's this one or another one, to bring in a system of traceability Canada-wide? There appears to be the confidence that somehow the feds are going to do it, but I'm not totally convinced, not because I like or don't like Conservatives or I like or don't like Liberals, should they get into power, but we are in a very fragile minority situation. If the government pulls the plug and say, "We're going to have an election," and if we've got another government, this whole thing will start all over again from zero. That's my view, because you've got to have a new minister, if there's another government, with new priorities. Who knows where this system might be down the line?

So the confidence you give the feds about creating such a system I don't share, and that's why I say to you that we need to do something on our own, as Quebec did, which I believe has a mandatory system. If they have it, we should have it too. And we should have it, rather than waiting on the possibility that it may or may not happen down the line. That's the concern that I express here today. We know the province is waiting for the feds to do it because they don't want to pay. They don't want to pay for their own system. I don't think that's the appropriate way to deal with an issue as serious as this one. So I'm hoping there are going to be a whole lot of people coming to committee to speak about this and many other issues as well.

ROYAL ASSENT SANCTION ROYALE

The Deputy Speaker (Mr. Bruce Crozier): I beg to inform the House that in the name of the Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to a certain bill in his office.

The Deputy Clerk (Mr. Todd Decker): The following is the title of the bill to which His Honour did assent:

An Act to provide for review of expenses in the public sector / Loi prévoyant l'examen des dépenses dans le secteur public.

ANIMAL HEALTH ACT, 2009 LOI DE 2009 SUR LA SANTÉ ANIMALE

The Deputy Speaker (Mr. Bruce Crozier): Further debate? The member for Chatham–Kent—no, Lambton–Kent–Middlesex.

Mrs. Maria Van Bommel: Thank you, Speaker. There is some Chatham in my riding, so I don't mind taking claim to some of Chatham.

I actually am very pleased to be able to stand and speak to Bill 204, the Animal Health Act. The member from Trinity–Spadina said that this is long overdue, and I have to agree. I think part of the issue, though, has been the fact that until our government appointed a chief veterinarian officer for the province, there was nothing for the act to actually work with. We needed that chief veterinarian officer, and it took years and years to get that. I'm particularly pleased that it is Dr. Stark. She's very well respected in the agriculture industry and she brings with her a wealth of information and knowledge in terms of not only what happens in Ontario but what happens in other jurisdictions.

As we go through this, I'm going to talk a little bit about what happens on our own farm and what we do right now in terms of biosecurity, in terms of traceability. When we first heard about the avian influenza—my husband and I, and now our son and his family, are involved in the poultry industry. We produce chickens for, in particular, the McDonald's market, the McDonald's restaurants, so the chicken McNuggets and the McFilletts—I'm not even sure of the names of them, but—

Interjection.

Mrs. Maria Van Bommel: McChicken; thank you very much—are from producers like ourselves.

When we first heard of the avian influenza outbreak in BC, we watched very closely to see what was happening and how that province handled it. Our own commodity organization decided at that time that they need to take control of the situation and started a biosecurity, traceability and animal health program of its own.

I know the member from Oxford talked about licences, and he said in his two-minute comment about how maybe as a producer of chicken that I would someday be licensed. Actually, my quota is my licence; I

already hold a licence to do that. My husband and I are joint owners of that licence.

What we did at the time was to take instruction from the commodity board as to how we would act on our farm in order to avoid any further problems and to create traceability. I've heard talk about what this would cost producers. I can tell you what it cost us. It cost us locks for the doors, so that no one can come in and contaminate the area inside the barns. It cost us covers for boots. It cost us dip tanks for our feet as we go in, something we actually already had in place.

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The traceability aspect means we had to buy a binder and create forms. My husband spends a certain amount of time doing the work of filling out the forms, and in those forms he talks about when the birds are delivered; what the temperature was in the barn at the time; what he's feeding; what medications, if any, he uses; when they are shipped; and essentially what condition they are shipped in. Those things are all recorded. I know he wasn't particularly happy about having to spend time doing that kind of paperwork, but the fact is, he also understands and recognizes that this is for his own protection. This is part of the traceability aspect of what we do.

He keeps samples of feed, so I guess the cost of Ziploc bags so he can take the feed samples and store them in case something comes back in terms of traceability and he has evidence of what feed was used and what was in that feed.

All those things are intended as much to protect him in a situation of traceability as anything else, and he understands that. That's why he's willing to do that work, and that's why our son continues to do that type of work.

Other commodities have done exactly the same thing. The pork industry is doing that; the beef industry has a tagging system so there is traceability there. All the traceability that we have in place is intended, as I said, as much to protect us as it is to protect the consumer. But most importantly, it is about consumer confidence. If we are to continue to encourage our consumers to buy local and eat local products, they have to know that those products are safe, and in order to do that, we need to be able to trace.

Contamination of a food product can happen anywhere. At Christmas and New Year's we hear continually about how to store a turkey properly and how to prepare a turkey properly. Contamination can happen in the home as it is being prepared. It can happen anywhere along the chain. That's why traceability is so critical. If we don't have it, someone else will. We are in a global market, after all, so we need to be able to assure our consumers that we have the safest products, and traceability is critical to that.

I want to talk specifically about the program the chicken farmers have. The Chicken Farmers of Ontario have a program called Safe, Safer, Safest. In that program there are random audits done, and the farmers within that program accept the fact that there will be inspectors from the Chicken Farmers of Ontario who will

come in to make sure we are doing things according to the protocol. So when someone talked earlier about inspections and the idea of inspectors coming onto the farm, in our situation that is already happening. We have no control over when they come. That happens on a random basis. We need to have our work and our materials ready at all times, as they should be.

We continue to work with that program. If we don't work with that program, then the board has the right to withdraw our ability to produce. We may own the quota and we have the licence, but the fact is that the board can actually take our ability away because of non-compliance, so we wouldn't be producing for a while. There is an incentive to us to make sure we are in compliance with that program, and all chicken producers within the province have to be in compliance with that program.

The chicken board has another program called Call Us First. Call Us First is our response to animal health issues, avian influenza in particular. That is the requirement of all producers, if they suspect they have a disease in their barns, to call the board so that the board in turn can call the chief veterinary officer. The fact is, this legislation is actually just saying that the farmers, instead of calling their respective commodity boards, would simply call the chief veterinarian officer instead. So it's just a change in who we call first. But the fact is, we already are dealing with this. We are now working at a system that will make sure that if there's an issue, it's reported.

There are concerns, and I've heard people talk about what happens with privacy issues. Nobody wants to be known as the farmer with an animal health issue in their barns. But the fact is that as responsible producers, we know that we have to report those things and we have to deal with them quickly. That certainly was evidenced in BC with the outbreak of avian influenza. At that point, there was a system in place in BC that allowed them to quarantine that area and contain it within a region.

That's what we do now, within the chicken board. We get a call—and we've had them on our farm—saying that there's been an outbreak. We are not told who it is or where it is. That's the confidentiality of that farm operation. But we are told that it is within a radius of a certain area, and we know that within that area we are essentially quarantined until there is some resolution or identification of the problem. As I said, we've had those calls. Upon further investigation, it was found that there was no problem, but for the time being, everything was frozen. Chicken producers and other poultry producers do not travel to each other's farms for fear of spreading anything, and everybody is sort of battened down in terms of what they're doing, to make sure that the crisis has passed or at least has been identified as not being a crisis. That's what we're doing right now.

All of this is exactly what this bill is trying to do on a province-wide basis. This bill is doing essentially the same thing, not just within commodities—because as I said, many commodities already are doing things within

their own commodity. This is going to make it continuous throughout the province. It is going to make sure that everybody is working essentially on a level playing field.

Actually, I'm hoping that what we will be able to say at the end of the day is that we have a better standard than most, because that's what we need to have if we're going to be globally competitive. We need to have a higher standard. We need to have the gold standard. That's very important for our industry in terms of the economy of agriculture in the future, because we are competing with other jurisdictions, other countries which can produce products too but may not be able to assure our consumers that the quality is there or that the food safety is there.

We've seen that in the past. We have seen recalls of products that came from other areas because food safety issues were identified. We want to make sure that that never happens to an Ontario product. We need to be sure that all the products that we have are not only safe but can be shown to be safe, and that's the critical part of this.

As I said, I really believe that this bill is in some ways overdue, as the member from Trinity-Spadina has said. I'm certainly very pleased to support this bill. I see it as being able to deliver to agriculture the assurances we need that traceability in animal health systems, procedures and protocols are in place. But as I said earlier, it also confirms for our consumers that there is a system in place that they too can trust; that all our food is produced in a safe way; that if there is a crisis or an issue with it, there's a traceability system in place so people will find out where it is.

As I said, I know people talk about it as if this is going to trace back to the farm. It doesn't always trace back to the farm. But by having this system in place, farmers will be able to defend themselves. On our farm, we have the records that show what happens to the birds as they go through our barns. We have records that show what they're fed, if they're given any medications, when they're given medications, when those medications are withdrawn. All of those things are recorded and there for anyone to see.

I'm very pleased to be able to speak to this bill, and I thank the Speaker for the opportunity.

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The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Ernie Hardeman: I want to commend the member from Lambton-Kent-Middlesex for her presentation. I did also want to quickly mention that in my presentation I expressed grave concerns about some of the licensing authorities in the act, and it was mentioned to me in the responses that, in fact, the issue of the licensing and the ability of the minister to set fees and the right to warrantless entry onto the premises were related to the repealing of the sales barns act, the Livestock Community Sales Act, and that's why that would be in there, to deal with that act.

But in fact, when I looked at a copy of that act, the powers that are related to that act are not as wide open as what we're putting in this new act. I guess I would just caution the government as we're proceeding with this that if we are just replacing an act, we do need to put in this new act an ability to license the premises for the sales of livestock, because that is where a lot of animals who are not feeling too well today might very well end up, because the farmer or the individual or the producer didn't want to keep them in the barn, regardless of whether there was a problem with them or not. So there is a need for that to be surveyed.

But the ability to get warrantless entry to the property and particularly to the documentation that's being stored on that property is not in the act. The ability to have the vet make sure to check the livestock is in the act. They must have it approved. If there's an animal that doesn't look of the quality that it should be in the sales barn, a veterinarian can refuse to accept it and they go back out. This new act is giving more powers to the inspector even in those establishments. I think it was implied that the reason it was in the act was just to cover it off because of the repealing of the sales act. I would just caution that that's not totally the case.

With that, I want to thank you very much for allowing me to speak.

The Deputy Speaker (Mr. Bruce Crozier): The member for Trinity-Spadina.

Mr. Rosario Marchese: Just a comment to the member from Lambton-Kent-Middlesex. I think she's saying and understands, given her experience in the field, that traceability is a big part or ought to be a big part of this bill, as I understand it. The only point that I wanted to make on that is that there's only one paragraph on that in this whole bill. I'm assuming that in the context of all the consultations that were had in the industry, they had assumed that traceability was going to be the big part of the bill. Lo and behold, we get this bill and there is nothing on traceability except one paragraph that says that they may introduce a traceability system.

I do find it puzzling. I know you said that we need to have a traceability system, but we're not going to have one—not based on the bill. The bill doesn't say we're going to have one. What I understood from the parliamentary assistant and the minister on this is that we are waiting for the federal government to introduce one. That's what I understood. Correct me if I'm wrong. Are we waiting for the federal government to introduce a traceability system or not? Is it the point that if the federal government doesn't do it, we then do our own? I presume that's why you have this section 33 that says that we may have a traceability system. But I have to tell you, member from Lambton-Kent-Middlesex, it's just strange politics that we're waiting for the federal government, and if they don't do it, we'll do it, but in the meantime we've got nothing. I don't know. Please comment. You've got two minutes.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mrs. Liz Sandals: I'm very pleased to respond to this. I think I'll carry on where the member for Trinity-Spadina left off. Ontario, in fact, does have traceability systems for many of our livestock products, and Ontario has gone about as far as it can go on its own. The issue is that if you look at this from an export point of view, if you're a consumer in Japan and you want to know about beef and whether you should import it from Canada, you actually don't care about an Ontario traceability system because what you recognize is Canada; you want to know that there's a Canadian traceability system. Furthermore, with many livestock categories—for example, beef—it actually is required that we have a national system, because in many cases calves that are born in the western provinces are shipped to Ontario to be fed out. You actually need national traceability in order for traceability to be meaningful. So we do need a national traceability system on top of what we already have in Ontario. That's one point.

But that's not the major thing that this bill is about. What this bill is about is outbreaks of animal disease and how you manage outbreaks of animal disease. In fact, the questions at hand here are: How do you control the disease? How do you look at an outbreak of a disease on a specific farm and make sure that you confine it to that farm or to its neighbours? How do you have the authority for the chief veterinarian to go onto the surrounding farms and investigate? That's what this act is about.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. John O'Toole: I think it's important to keep track of the most obvious parts of this in the purpose clause, as the member from Guelph had just stated: regulating activities related to animals that may affect animal health or human health or both. I think food quality and food safety is—again, as our critic the member from Oxford has said, we're in support of all those obvious goals of this legislation. We would be on the record as supporting food safety in the very broadest sense, which would include the animal health component, and which would include the livestock as well as the feedstock component.

Identification: What we also should know too is that the COOL program, the country-of-origin legislation, is also an impediment to fair trade. I agree with the point that's been made that we do need a federal standard. While we laud this bill about livestock identification, there is in the livestock industry today, for the most part, a clear tag or some other kind of identification even in the feed itself. We don't want to be creating more red tape for agriculture.

We want to fairly compensate agriculture. On this traceability discussion, who is going to pay all the infrastructure costs? This isn't clear here. If you're going to, for the good of all the people, why should the farmer have to pay? That's the issue here. They aren't getting the right price at the supermarket today, and we keep downloading to agriculture, whether it's the greenbelt or source water protection, with no compensation. Ulti-

mately, we're not opposed to the goal; we're opposed to how this government is getting there. I'd be cautious that buried in this bill are more taxes and more regulation.

The Deputy Speaker (Mr. Bruce Crozier): Member for Lambton-Kent-Middlesex, you have up for two minutes to respond.

Mrs. Maria Van Bommel: I want to thank the members from Oxford, Trinity-Spadina, Guelph and Durham for their comments on this particular bill. The member from Durham talks about infrastructure costs, and I'm not quite sure what he means by infrastructure costs. As I indicated earlier, on our particular farm the infrastructure costs included things like plastic covers for boots and footwear as people come into the barns and locks to keep people out so that only the farmer has the ability to give them access. In a lot of ways, these have been practices for many, many years in terms of biosecurity. So I'm not quite sure what he's talking about in the sense of what he means by infrastructure costs.

The member from Oxford talked about the Livestock Sales Act and the whole issue of the updating, and I agree. One of the things we have to be very careful about is livestock yards, because if there is ever a dumping ground to get rid of an animal, especially a large animal, that's where they sometimes come up, especially if someone is trying to avoid a problem or trying to rid themselves of something.

1700

But still, I think on the whole, when we talk about traceability—and the member from Trinity-Spadina was talking about the traceability issue—we have, within the province, traceability systems already in place among specific commodity groups. But as the member from Guelph reminded us, a lot of our products move inter-provincially, and we cannot go much further with traceability in this province without some co-operation from the national level. We need that in order to make this thing work and come together properly. As we all know, many other provinces already have such acts in place, and we need to be up to date on this.

The Deputy Speaker (Mr. Bruce Crozier): Further debate.

Mr. Robert Bailey: It gives me great pleasure today to rise and speak to the effects of Bill 204 and its shortcomings perceived by our caucus.

Just by way of introduction, agriculture in Sarnia-Lambton is the second-largest industry in my riding. It contributes many hundreds of millions of dollars to the local economy, second only to the petrochemical industry, followed by the tourism industry after that. So it's a very large and important income generator for my riding, and I have many farmers in my riding who have spoken to me on this issue.

However, in our reading of this bill, the bill would allow for a new system of permits and licences. It would create, in our opinion, more red tape and expense for farmers without improving animal or human health.

It limits the people eligible for the position to public service employees and fails to establish a requirement for

years of experience. In comparison, the chief medical officer of health is required to have five years of service as opposed to this Chief Veterinarian of Ontario, something that stakeholders have requested.

The bill is very heavy-handed on how it deals with farmers, including allowing inspectors under the bill to enter premises other than dwellings without a warrant in a wide range of circumstances, including to determine whether the farmer has the appropriate licences—more red tape.

The PC caucus would require substantial amendments to this bill before we would be in any position to support it. In our opinion, this bill goes far beyond what is required to protect animal and human health. It creates a system of permits and licences—more red tape and costs for our farmers with no compensation for the time, paperwork and expenses involved.

Number two, stakeholders were asking for a traceability system, which, in our opinion, is largely absent from this legislation. There is, however, a small section that allows the minister to set up this traceability framework by regulation, meaning it will all be done later and behind closed doors.

While we all agree with food safety, this bill goes too far in removing the rights of individuals, in many cases without any foreseeable benefit to either animal or human health. For instance, it would give inspectors the right to enter premises without a warrant to see if proper permits are in place. This is not a circumstance in which there is enough urgency to justify entry without proper process.

Possible amendments that we would like to see to this legislation, however not limited to this, would be: to amend the section which will allow the permits and licences. In addition, the bill should be amended such that consent of the owner or a warrant is required to enter private property in all but the most urgent of circumstances.

There could also be an amendment to strengthen the section on compensation and remove discretion, unless there were extenuating circumstances, such as fraud or negligence.

Agricultural organizations are generally in favour of the traceability system, but many of them have said to us that they thought there would be more emphasis on this part of the bill.

This summer's federal-provincial-territorial meeting committed all agriculture ministers to setting up a traceability system by 2011. They believe that the government needs more tools in order to deal with disease outbreaks and ensure animal health. They also believe that animal health legislation and a traceability system in place will allow them to demonstrate the high levels of food safety required to be globally competitive.

I would read into the record some communications we've had from numerous stakeholders. The Ontario Livestock and Poultry Council says:

"Currently in Ontario, the Canadian Food Inspection Agency is the only entity with legal powers to control the

movement of animals and order eradication actions in the event of a reportable animal disease and, only then, once the disease has been confirmed....

"Many of the supply-managed commodities have built food safety and animal health policies around quota licensing. A clause in the Farm Products Marketing Act empowers them 'to direct and control, by order or direction either as principal or agent, the producing or marketing of the regulated product, including the times and places at which the regulated product may be produced or marketed.'

"For example, if poultry producers do not abide by the on-farm food safety or isolation policies, then they will not receive a new licence to produce. In dairy," the Dairy Farmers of Ontario "can refuse to pick up the milk. This process only applies to those organizations who have the authority to market farm products and is limited to the selling aspect. For example," the Dairy Farmers of Ontario "cannot control the movement of animals, and the onus is placed on the poultry producers to self-report for diseases other than those which would be diagnosed and reported" by the Canadian food inspection veterinarians.

"For unregulated commodities, there is no mechanism to act upon a suspected disease outbreak. They have no control over marketing and some associations do not have contact information for all" their producers. The "most important factor that must be addressed in effectively responding to an animal disease outbreak is the current inability to stop all animal movement within the province or within a specific zone of the province until laboratory confirmation of a reportable disease or, in cases of non-reportable diseases, to act upon the situation...."

I have a letter here from Ontario Pork to the Minister of Agriculture and Food:

"Ontario Pork represents the 2,800 farmers who market hogs in the province in many areas, including hog marketing, research, government representation, environmental issues, consumer education.... The pork industry in Ontario accounts for some 33,000 jobs"—directly—"and it is estimated that total industry output from farm-gate sales" is worth \$4.5 billion to the Ontario economy.

"Ontario Pork"—to shorten the letter—"sees a need for further clarification within the act regarding mandatory reporting in order to differentiate between notifiable and reportable hazards.... Producers should not have to report hazards that do not jeopardize the health of the animals outside the herd/flock or of humans. All listed hazards plus reporting requirements would need to be consistent with other jurisdictions ... the list of reportable diseases for the province must be compiled with care and only after open consultation and agreement by industry stakeholders. Additionally"—to quote them further—"if there is mandatory reporting of risks other than animal diseases, we insist that industry is extensively consulted on the specifics, including indemnification and implementation protocols."

They further go on to say: "The proposed legislation must work towards reducing the regulatory burden on the

livestock industry and its ancillary industries. This legislation should include provisions to revoke and replace other legislation, and further, if there is discrepancy between two pieces of legislation, this act, on issues that pertain to farmed livestock, will clearly take precedence. It should also be clear within the legislation that areas that are not directly related to animal health will be excluded."

They go on to say: "One example of this is animal nutrients, which are already regulated under two existing pieces of legislation. Duplication must be avoided in all areas, including the administrative level, in order to keep requirements for documentation from becoming yet another burden on producers...."

"We must be sure that as we build legislation, pass regulation, and put procedures in place, that all those who will benefit from the desired outcomes should" also "have to bear the costs associated with those outcomes. Ontario's livestock commodities alone cannot bear the cost of regulations that put them at a disadvantage to imported products that do not have to meet the same standards. In order for domestic regulation to be effective in providing protection for all, Ontario must have a strong and vibrant domestic market, not one that is at a competitive disadvantage due to excessive and burdensome government regulation. Imports"—of course—"must also meet any proposed legislation."

This same organization, Ontario Pork, would "request the development of a regulation relating to fair compensation or indemnification policies for direct and specified indirect losses for any producers whose animals have been ordered destroyed by government or whose income has suffered as a result of a disease outbreak. This could include but not be limited to losses from quarantine, extra-feeding costs, lost market value due to weight or age discounts, testing costs and disposal costs."

The Ontario industry needs to be competitive: "There needs to be compensation for those affected and not just those infected."

1710

Ontario Pork goes on to say that "industry stakeholders must be afforded the opportunity to review the exact wording of the legislation and resulting regulations prior to them being enacted in order to confirm interpretation and ensure clarity that will reduce the risk of wording changes significantly altering meaning and intent"—all the more argument for this bill to go to committee, as the member for Oxford and others in this House have asked for.

In closing, Ontario Pork also said that they "would also like to be clear that only through in-depth consultation can industry acceptance of this legislation be achieved. Rushing legislation to achieve short-term goals or objectives is not always in the best interest of Ontarians or the affected industries."

That's signed by Keith Robbins, the director of communications and marketing.

I have some other comments from some stakeholders in this important branch of the agricultural industry. This

is from the Ontario Cattlemen's Association. This is addressed to the Minister of Agriculture and Food:

"The Ontario Cattlemen's Association (OCA) is a grassroots organization that represents the 19,000 beef producers in the province of Ontario. The OCA advocates on behalf of its members in the areas of government lobbying, policy planning, industry development programs, promoting beef and developing domestic and export markets."

To go on, under "Traceability," they say, "OCA appreciates that traceability is a valuable component of a strong animal health system.... OCA would not oppose mandatory premise ID, however, we request that registration be captured in the already existing CCIA database, and not through another registry. We would insist that the system be designed in an efficient and cost-effective manner."

They've got concerns that any legislation that is brought in for traceability of cattle "should be developed to ensure that:

"(1) It does not impede or delay commerce;

"(2) Costs of the system must not result in the industry becoming non-competitive;

"(3) The technology must be capable of reading identification at a rate which accommodates normal commerce;

"(4) Tolerance ranges for the readability must be acceptable to the industry standards;

"(5) Producer information must remain confidential."

The Ontario cattlemen say, "While we acknowledge that Quebec has a mandatory traceability system, Ontario needs to be competitive with the western provinces as our supply chain is integrated with the west. We request that no additional costs be placed on Ontario producers."

They go on to say, under "Mandatory Reporting," that "the list of reportable diseases for the province must be compiled only after open consultation and agreement by industry stakeholders. Additionally, if there is mandatory reporting of risks other than animal diseases, we insist that industry is extensively consulted on the specifics, including indemnification and implementation protocols."

Under "Disease Prevention, Control and Monitoring," they also have some comments: "We request that any biosecurity standards are determined by the commodity groups in conjunction with government and other industry stakeholders. The standards should be science-based and consider the economic impact on the industry, and must not result in the industry becoming non-competitive when compared with other jurisdictions."

The Ontario cattlemen also believe that this legislation "needs to facilitate access to farm veterinary service in underserved areas of the province, including financial support where necessary, to ensure that all areas of the province have the same adequate veterinary disease surveillance network and so that producers have access to pharmaceuticals for animal health."

Under "Animal Health Promotion," the Ontario cattlemen believe that "animal welfare practices should not be

included in this proposed legislation. The ... OSPCA Act was recently updated, which, in our view, has ample authority to deal with animal welfare issues. The beef industry also has a code of practice for the care and handling of beef cattle, a joint effort between industry and Agriculture and Agri-Food Canada. We feel these policy tools provide adequate care and handling standards during normal business." For the handling of animals during a declared emergency, they would request that "these standards be science-based, and correspond to already existing protocols."

They also would "expect and support the development of both emergency humane slaughter and/or disposal policies for livestock and the development of a comprehensive mass carcass disposal contingency plan as part of this legislation."

In closing, regarding compensation and indemnification policies, they request "the development of a regulation relating to fair compensation or indemnification policies for direct and specified indirect losses for any producers whose animals have been ordered destroyed" by this government, or any government, "or whose income has suffered as a result of a disease outbreak. This could include losses from quarantine, extra-feeding costs, lost market value due to weight or age discounts, testing costs and disposal costs. Adequate compensation for producers who experience ongoing prevention and detection costs that cannot be recovered from the marketplace as well as for quick response costs are essential to keeping the Ontario cattle industry competitive."

That's signed by Gord Hardy, the president of the Ontario Cattlemen's Association.

I see, Mr. Speaker, my time is winding down.

This is from the Ontario Farm Animal Council, OFAC, and they thanked everybody for their opportunity to have input. To sum up, they are of the opinion, however, that the proposed legislation oversteps its mandate.

"The intent to regulate the handling and housing of livestock as described under the animal health promotion proposal must be restricted under the act to emergency measures and situations involving the containment and remediation of animal disease outbreaks and contamination. This proposed legislation should not include general animal husbandry and care within its scope.

"Wide-sweeping handling and housing regulations, as currently proposed, would be problematic from various perspectives that have previously been outlined by OFAC and other industry groups. Additionally, it would be deemed as duplication given the recently updated Ontario SPCA Act requirements and unnecessary given the various commodity-specific codes of practice and programs....

"OFAC also sees a need for further clarification within the act regarding mandatory reporting in order to differentiate between notifiable and reportable hazards.... Producers should not have to report hazards that do not jeopardize the health of animals outside the herd/flock or of humans. All listed hazards plus reporting requirements would need to be consistent with other jurisdictions."

They go on to say they would wish to highlight that a fair and adequate compensation system, as well as an appeals process, should be part of this process.

Under animal care regulations, they say that "standards on farms should be limited to extenuating circumstances and clearly stated within the act. Specifically, such standards should be restricted to emergency measures and situations involving the containment and remediation of animal disease outbreaks and contamination."

Mandatory reporting: "... the list of reportable hazards for the province must be compiled with care and only after consultation and agreement by industry stakeholders."

Under compensation, they go on to say, "Adequate compensation for the costs associated under this legislation is crucial. This must include the direct costs of quarantine, removal, testing, disposal or storage of animals and/or animal products as well as coverage for site cleaning and disinfection."

Under the appeals section of this, they go on to say, "An appeals process for decisions related to compensation or licences prescribed in the regulations, similar to those provided under the Alberta Animal Health Act, should be written into the proposed act."

The head of the Dairy Farmers of Canada, Mr. Laforge, who was just recently elected to his fifth term, says, in part, "As we build legislation, regulation and implement systems to achieve improved traceability, we need to ensure that public and market access benefits from traceability are aptly supported."

The Ontario Federation of Agriculture has a couple of comments. I'll work these in here too.

Under mandatory reporting, they go on to say that producers are already subject to considerable administrative reports.

1720

Under traceability, the OFA insists that farmers not be forced to bear the total cost of regulations that result in a public benefit. They say, "Although we are not aware of a definitive cost-benefit analysis, we believe trace-back systems will provide more benefit to the consumer than the farmer....

"Traceability initiatives should be specific to and designed compatibly with individual commodity circumstances. They should move forward so as not to put Ontario animal producers at a competitive disadvantage relative to other national or international producers. Legislation must recognize only certain sectors will benefit from provincial level traceability programs, while other sectors would benefit from being organized under national and perhaps international traceability."

In summing up, as I said, we support the idea of improvements to food safety and anything we can do towards that, but we've got a lot of concerns about this bill. We want to see it go to committee so that the stakeholders and many other people who have ideas to improve this bill can be heard at that time.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Rick Johnson: I'd like to thank the member from Sarnia-Lambton for his comments on the bill. There has been much said this afternoon about this bill as it moves forward, and I've appreciated the comments. As I said earlier, I'm taking lots of notes about it and relying upon the experience in this room.

Bill 204 is primarily about trust. It's about having the trust in our food system so that, as our food comes through, people have confidence. I think this is going to benefit Ontario food products as they go out onto the world market. I appreciated earlier the member from Guelph talking about the fact that when people are looking at food products, they often look upon them as, "This is from Canada" and not necessarily from Ontario.

As I said earlier, the federal government announced this past summer that they were beginning the process of a national traceability system, which I think is crucial to our industry. A couple of members have stated that there's some vagueness around traceability. It says, "The minister may establish" regulations surrounding traceability provincially. There are two things that'll happen with that. One is, if the federal government doesn't get around to doing it, we will have a system in place where we will be able to stand up and say, "Ontario food products are there and they're safe and we can trace them." I think that's incredibly valuable for our farmers and for the agriculture sector in general.

Right now, as one of the members stated earlier—the riding just escaped me, sorry—it exists for the beef industries. This will also be extended into poultry and other areas so that it can be traced, and we can make sure that it is safe. It's a great message to send to the world, that Ontario's products are safe and that if another province or another country decides not to do traceability, they do so at their own peril. I think that what we'll find is that if the federal government decides they don't want to go there or they don't get around to it, we will be there, and we will have a system in place.

This is enabling legislation which will allow the minister to set the wheels in motion to make it happen. I think that's of prime importance here so that we can have those systems in place. That's why I speak in favour of this bill.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments.

Mr. Ernie Hardeman: I, too, want to commend the member from Sarnia-Lambton for his presentation and for, first of all, coming forward with not only his concerns about the bill but his recommendations of where the bill may be improved and some of the amendments that could be made to make it a better bill. I want to thank him for that and also for the fact that he went to quite a length to point out to those assembled here and those who are watching at home the concerns or the comments that came forward from the stakeholders who will be affected by this legislation, and to point out, again, how that relates to the parts of the bill that he

recommended be amended to accommodate those concerns expressed by the cattlemen and the other groups that he mentioned.

One of the other things that I hadn't given much thought to was the issue of food safety and the systems that we presently have in place, particularly in those areas of our agricultural community where we have an orderly marketing system—in fact, the Dairy Farmers of Ontario have exclusive jurisdiction over regulating, monitoring and looking after the production of the milk and the transportation of the milk into the food chain—and how that relates to this act and whether we are going to duplicate that process in those sectors where we already have the system, or whether we can accommodate those into the system that the minister is going to design for traceability. Incidentally, it was mentioned about tracing the feather industry, shall we say, or the chickens, the boilers that are going to market—that, again, along with the beef cattle, that is traceable today. They can tell you which farm they were grown on, they can tell you which feed they ate while they were there, and they can tell you which plant they were processed in, and the label will show you, when you're in the store, where it came from. So I think we already have a lot of that in place. I think it's very important that we point out just how that is going to be affected by what's being proposed in this bill.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. John O'Toole: My colleague the member from Sarnia-Lambton did make a couple of very good points in terms of the detail in the bill. We go back to first principles when we say that everyone here, I would presume, is in favour of taking actions that would support food quality and the integrity of the system, as well as the welfare of animals in a general sense.

I think he points out that there are still overlapping jurisdictional issues that are—that's the problem with this bill. It's 60-some pages or so. He talks about some of the supply management issues that have established criteria for quality, safety, reliability, identification and all these regulatory issues, and most of the livestock industry—the beef industry doesn't have it, but they still have a traceability system with the ear tags, RFID tags. There are responsibilities that are outlined federally, and I think we have all agreed here today with the minister that we need federal regulation because of the movement of livestock to the west or even indeed to the States.

There are a lot of powers in the bill. If you look at that section, the one that I want to talk about at page 56, the regulations in here are just outstanding. There's a whole section. When it comes to traceability, there's only one section, section 33, a very short section, but the rest of it is all—the devil is in the details.

We're not opposed to the goal of the food safety issue. What we are opposed to is more red tape at a time when the livestock sector is just struggling. Bring some humanness to this debate. Is this going to help them and are you going to provide the money, or is this just

another tax grab, sort of like the eHealth and the whole HST debate? Do you understand? I'm concerned that we're downloading to agriculture—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Questions and comments?

Hon. Leona Dombrowsky: I want to say that I am very impressed with the discussion that has taken place in the assembly today. There's obviously a good deal of work that has gone into reading the bill and understanding—maybe not understanding so well, but I think it will come. I think it will come, and we'll help you do that. But I am impressed with that.

Some of the comments that I have heard, though, particularly from the official opposition, I'm having a little bit of difficulty appreciating, from the remarks that have been made: On one hand, there is a sense that the traceability piece particularly is a little bit light on details or that we really need to get out there and be very plain about this, but on the other hand what they're suggesting is, "Well, you've indicated that the federal government is going to move forward on traceability, and we don't want to see duplication."

I guess it's important for me to clarify that we have traceability in this bill because we do have a commitment from our federal partner, and we have it, to their credit, I believe, because our industry partners have said that this is important if we are going to be able to market our food products internationally, that a traceability system gives us a tremendous advantage. So what we are doing with the traceability piece we've put in our bill is that when the federal government moves forward with their national traceability strategy, we will have a framework in place to build on that strategy. That's the purpose of this.

I look forward to the opportunities we will have in the future to discuss this with our stakeholders and members of the opposition and to provide even more detail around that.

The Deputy Speaker (Mr. Bruce Crozier): The member from Samia-Lambton, you have up to two minutes to respond.

1730

Mr. Robert Bailey: I would like to thank at this time the member from Haliburton-Kawartha Lakes-Brock, the parliamentary assistant to the minister, the member for Oxford, the member for Durham, and of course the minister herself for those remarks.

I was merely reading both from constituents of mine and some of these representatives from the industry who I know personally. I won't go into detail about who they are. Anyway, I've met them a number of times over the years. What I wanted to impress upon the minister and other people here today is that there are concerns within the industry out there. They've got questions themselves. I think that only begs the question, and we are still waiting for an answer from the minister on whether we will have hearings and be able to have these stakeholders come here, state their cases, as they have in writing, and have the public hearings.

At the end of the day, those stakeholders, those individuals make their living from the agricultural in-

dustry, whether they're in the supply industry, whether they're in the feed industry. I've met with some of them. I toured one of the Parrish and Heimbecker institutions the other day, in the grain industry, that provides feed grain, and they were showing me all the steps they go through now to make sure they can cover their assets if anything goes wrong with food or anything like that.

Interjection.

Mr. Robert Bailey: I think that's okay.

Anyway, they showed me all the hoops they have to go through right now to meet certain standards, in case there's an industry where somebody has something wrong with their feed. So they said that they don't need anymore—they don't mind doing what they're doing today; they're living with that, and they've learned to deal with it. But any further regulation and red tape will only impact upon their businesses.

I think a number of other members have already said that the devil will be in the details. When you write bills or when you're drafting legislation—the minister, I'm sure, has the greatest of interest in the agricultural community and mine, but when they draft a bill, we need to know how it's going to affect everybody.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Dave Levac: I want to first start off by thanking the Minister of Agriculture for the due diligence she has done on this particular bill. If one were to listen carefully to what has gone on in this House today, one would almost believe that this is a surprise to people. The stakeholders have actually been really spoken to well by her staff, by her, and by the parliamentary assistant. The member from Haliburton-Kawartha Lakes-Brock has done a great deal of homework already and has given us the impression that he will continue to do so. He never left his seat and basically has been taking copious notes. I've got to remind him that in terms of where you're headed with this, you don't have to write everything down. It's just a matter of making sure that the salient points that come to you are used in your deliberations with the stakeholders, and I'm sure you're already starting to set up that meeting. So I start by saying, both to the minister and to the parliamentary assistant, a very large thank you.

Someone in the opposition had said earlier—and I really thought it unfortunate; I really did. I thought it was below that person. I thought they were above that, and to impugn somebody's attitude—that because they live in the city, they don't know what's going on and they don't care. I really thought it was going a little bit too far for even that member to imply that the people on this side of the House, as he said, live in the city and don't really care too much about this. I know he knows better, and I think that at second sober thought, he would have recognized that it was probably a statement that was given in the heat of the moment to try to paint a picture that didn't exist. I'll leave it to him to decide whether or not he thinks that that's an appropriate way to talk about any member in this House on any issue.

As a matter of fact, I would say that the member from Trinity-Spadina may have taken offence to that, simply because he's such an urbanite and has a passion for the people in the country as well. As a matter of fact, I think all of us would have taken umbrage. But I digress. I'll talk specifically to Bill 204.

To come back to my earlier point, that the minister has been working very strongly on this particular bill, along with her staff, whom she compliments on an ongoing basis: Let's talk about what they've done. The ministry has had 34 written comments that were requested on July 20, 2009, and of those written comments that were received from stakeholders, organizations, and the general public, all of the submissions were generally supportive of the legislation, while raising specific concerns and issues, as has been reported to this House. Ministry staff, through the minister's directions, have incorporated consultation feedback into the proposed legislation where it was possible. So that beginning set the tone for what the minister has been trying to accomplish here.

Unless I've missed something, and I'm sure that the members understand this, recently there have been some concerns worldwide about how we handle our food. I want to come back to the specifics of what I've learned in my riding and some of the several other ridings I've visited during my years here. That is that the Ontario farmer is pretty well second to none when it comes to food safety. They take pride in that level of confidence and that standard that they set, along with—and I say that carefully—along with governments of all levels that say, “We can work with you in your regulatory streams. We can work with you to make safe food. We love to compete with them as long as the level playing field exists.” One of the things that I think is being missed in some of the debate is the fact that the farmers have said that proudly. “We can compete with the world, and we do compete with the world, and we have”—and they're proud of it—“some of the safest food on the entire planet” because of the way they conduct themselves.

What this bill is not doing is saying that they're not doing the job. This bill is very clear in its concept. The concept is to create a system that allows us to make sure that diseases are reported and that, if anything happened to the animals and/or the human beings during consumption, we would be aware of it, trace it and be able to deal with it as quickly as possible.

What we need to do is step back from the brinkmanship that seems to be prevalent in some of the members' comments. I agree with the minister that most of the conversation has been based on some of the concerns they raised, but I want to make sure that people understand that the proposed legislation will, if passed, provide measures to assist in the prevention—not responding or reacting, but being proactive—and the detection and the control of animal diseases and other hazards that are now known to be found.

They're not saying it's just on the farm, which also seems to be missed. Some of the debate going on is trying to rabble-rouse to the point of, “Oh, you're picking

on us again. Our personal rights are being affected. They're picking on the country again, the farmers, rural Ontario.” That's not the fact. The fact is, it would require individuals to report animal diseases to the Chief Veterinarian of Ontario. It gives the government the authority to issue quarantine orders and surveillance zones and control areas to help control the spread of the detected disease or hazard. If somebody believes that their rights are being thrust upon and somebody is going to come down and shut them down for no reason at all, the control mechanisms are built into the bill. If you want to tell Joe Public out there, “We think it's okay for you to do whatever you want on your farm or your factory or your agri-business and not have some kind of control mechanism in there to be reported, and for that sake we're going to stop doing this,” I think you're sadly mistaken. Quite frankly, that's not what the bill is trying to say. We're not removing personal rights. What we're trying to say is, it's for the sake of all of us, and we're not the only jurisdiction giving that consideration.

By the way, the minister is also correct on the other point that she's making, that there is a co-operative nature at this particular moment with the federal government to do what it's supposed to do. Many of the farmers I've spoken to in my riding continually talk to me about the border issue: the produce and the products that are coming in from other nations that don't have the same quality assurance that's built in and the pride of the farmers of this zone, this area. That's not a level playing field, so I'm saying that my support of this bill is based on the particular issue and that the minister has done the consultation and the stakeholders are making some comments.

The bill would also enable us to compensate, to help the farmers with costs associated with animals that may be ordered destroyed in order to control the disease. Farmers know what that's all about. If you ask the farmer, they know all about getting rid of diseased animals. They don't want them on their farm, either. I think there's a little bit of bluster going on to assume that the devil's in the details, so there's going to be some mischief being played by this legislation. My goodness; the stakeholders know what the bill is. The stakeholders have seen the bill. We've had the discussions with the stakeholders, and the stakeholders are telling us, “We like the direction you're going. We need to continue to talk.”

1740

This brings me to my next point, which I'll say again. I think for me it's the first time, but many of my colleagues on this side of the House have said it a few times. We will take this to committee. It's going to go to committee. The stakeholders will present and discuss and advise and recommend, and the opposition will have the same opportunity time and time again, as these bills have been, to have their points made and lay it on the table. In some cases, there will be amendments offered, and I'm hoping that if the amendment is to make the bill better and it speaks to the issues that have been driven by the

grassroots and the opposition, the government will analyze it and see fit to introduce it as part of the bill, because this is about safety.

We drive it down to its brass tacks and we strip away the onion skin, and we see that in this world we live in today there's a very large concern about what we're consuming. It provides us with another opportunity. In my conversations—again, I refer to this a second time—with farmers in Ontario, they are very proud theirs is considered one of the safest products that people consume. Farm safety and food safety are considered top-notch here. They have associations that work together to continue at the grassroots level to make it better. The government's intervention here, as it's sometimes characterized, is not much of an intervention when the associations are saying, "We like where you're going."

They have questions, and, yes, they are going to get answers. They have every right to ask the questions. OMAFRA will continue to consult with the industry partners as we move forward with this initiative and to work with the federal and provincial colleagues from across the country to ensure that provincial-level traceability initiatives complement the proposed national traceability system as it evolves.

There is a thought that I had about this national issue of traceability. First of all, on a national level, in the scope across the breadth of the country, there will be varying implications in each of the provinces. I think the provinces have a strong right to take a look at this and ask, "Are there traceability programs that we can offer here that complement or accelerate or go even higher than the federal?" Quite frankly, I would welcome that. The standard or the regulatory stream doesn't necessarily mean you can't go even higher. I'm convinced, as have been the people I've met in my riding and others, that the farmers would accept the challenge and do so because they're proud of the fact that they've got a very high level of food safety record. It is well known.

We're being myopic if we think that nobody else is watching what we're doing here. I know of several examples. Some of my colleagues are involved in the production of food, and I know through conversations with them how seriously they take that portion of their job and what they have to do in order to comply.

So I welcome this bill. I think that what the government is attempting to do is to work with everybody, and everybody's getting a say. I think if anyone tries to characterize the government as trying to slip this one through and pull a fast one on them or whatever the case may be, they're sadly mistaken—quite frankly, more than sadly mistaken. They're playing a little mischief with it because the stakeholders have already indicated that they're willing to participate in this discussion.

I think that what we need to do is to acknowledge that there isn't anybody—and I say that respectfully of all the sides of this House, and I repeat what somebody else has said, and I know they did—in this room who has not said that they wanted to take a look at ensuring that the safety is there and that the traceability is there. But prevention is

included in that, and detection is included in that. I compliment all the members who have acknowledged that and have made it clear that their intention is not to interfere with that component. I respectfully suggest that they have made some good suggestions as to making sure that certain questions get answered.

I think the industry partners that have sent us written support and comments on the initiative include some of the major livestock groups: Ontario Pork, the Ontario Cattlemen's Association, the Chicken Farmers of Ontario, the Dairy Farmers of Ontario and the Ontario Federation of Agriculture.

Inside of that, with what the opposition has said—and I'm in agreement—there may be some questions. There may be some legitimate concerns that need to be raised to help them understand the depth of what the regulatory stream would look like. But the comings and goings of the regulatory stream will be inclusive of something else this government tends to do, and that is to include the stakeholders in that round of discussions. We're going to have hearings. We're going to have deputations from stakeholders. We've done stakeholder consultation.

It's not a big surprise; we're not springing anything on anybody. The general public is in the mood to see even further consideration given to food safety. Governments of all stripes have in the past, continue to and will in the future offer legislation or regulations to keep our people safe. "Recently," the general public is saying, "something is going on with the food. It's making us sick and we're getting these stories out there. Let's continue to analyze what's happening." With investigation, we found that some people have been culpable for the actions and have cleaned it up. I remind again that that's the other point to this: This bill is not designed specifically for farmers—although that's the key component. This goes into the produce side, the production side. It's the agri-business side. They're on notice as well that the food safety coming from their operations is going to be evaluated.

The creation of the chief Ontario veterinarian is a good idea because it zeroes in on the reporting. Now we'll have a consistent statistical analysis of what's been happening out there for disease control. We may find—which I'm suspecting we will—there's a certain amount of pride that can be added to the farm community because it will turn out in the stats that because of the system we've employed right now, we're doing a pretty good job. But we should not be resting on our laurels, because all you have to have is one incident to get reported and traced back, and then all of a sudden we find out that maybe there was a little glitch over here and we didn't report this, this didn't get spoken of or this didn't get fixed after the report. Inside the bill, it also talks about consequences for not doing that.

So the bill is fulsome. It changes several pieces of legislation that require us to re-evaluate how we've done business. In three of the pieces of legislation, it's almost like piecemeal, and they actually don't hook up together. I think the ones we're talking about are—it repeals three acts: the Bees Act, the Livestock Community Sales Act

and the Livestock Medicines Act. As a result of such, those three acts get put aside and the content of this particular bill makes a better connection of those three pieces of legislation, provides us with a more in-depth review and the capacity to report this to the chief veterinarian—and that's an important key to the process that we're going to implement here.

As I said, I wanted to come back to this point: The bill will enable compensation for farmers, to help farmers with costs associated with animals that may be ordered destroyed. Inside of that, as we've seen in the past, particularly in the chicken, pork and cattle industry, once you start a cull, it's extremely devastating.

Now, I would respectfully suggest to you that there have been very few incidences in Ontario's farm history—very few—where farmers, albeit reluctantly, have agreed to do the culls because of the overall value and benefit to not only the industry itself, but the constituents of the entire province of Ontario. I can't say enough of what I've learned over the last 10 years about rural Ontario regarding how farms operate, how farmers make it, how they proceed to evaluate what they provide as a commodity for our consumption, particularly when we consume it, for us, as all Ontarians.

1750

As an educator for 25 years, I used to spend a lot of time teaching my urban kids that milk didn't come from a plastic bag. I had kids in my schools that didn't go more than four blocks away from where they lived. They literally did not go anywhere, and they lived within four blocks of where they went to school. I always made it a point to take them on a trip to a farm, to the dairy program, to have farmers come in and talk to them about their lives and what they did so that they would appreciate deeply the two things that I've been learning to do more of, and that is to educate kids about Farmers Feed Cities!, a program that was very successful, and the second one that I think is important for us to get a hold of—and it's been led by the grassroots, and I'm proud to say it is a grassroots' movement—is to buy local. The buy-local programs will help us with this particular need in our bill today. Buying local is an awful lot easier to trace. It's an awful lot easier to know that the farmer down the road is feeding me. Do you think for a minute a farmer wants to serve anybody anything but the best? They're feeding themselves. They're feeding their own families.

So I say thank you to the farmers for what they've done to this point. I say that I know the stakeholders are on our side. And I personally say to the people in the riding of Brant: a deep appreciation for the work that they do day in and day out to provide us with our needs on the local level. I look forward to continuing to buy local.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Toby Barrett: Yes, I have a comment on the presentation by the member from Brant, and it describes some of the rules and regulations inherent in this legis-

lation. The red tape and the forms you fill out can be taken too far.

One thing that does appear to be missing in the actual legislation is the whole issue of traceability, and I think we're being asked to operate on faith and expect this to come forward under regulation. We don't get involved in the deliberations with respect to regulation, and that is of concern because many stakeholders, and the member for Brant has spoken with farmers up in his area, recognize the importance of a traceability system—we know this in the broader industry—and they realize how important this is, and they also know that this is largely absent within that legislation.

I think the member for Brant made mention of border issues and trade. To date, with many of our livestock commodities, we are far and well ahead of the United States, for example, with respect to traceability. We seem to be the Boy Scouts in this business. The goal would be, also for consumer confidence, full traceability, from gate to plate.

We have to get the support of the federal government. It would give us an additional competitive advantage, especially in the hog industry. This was a briefing that was sent to me by Wayne Bartels very recently representing the 100 young hog farmers that are going out of business. They realize that the government has to do a lot more to enhance our export of hogs not only to the United States but around the world, and traceability would play a very large role in that.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Rosario Marchese: I want to say that I appreciate the sincerity of the remarks made by the member from Brant. I want to comment on two aspects. One, he says that the stakeholders are quite happy with this bill, and one can only hope that that is the case. I got the impression that the stakeholders were consulted on some matters which they thought were going to be reflected in the bill, and I think that, while some of it is in the bill, a lot of it is not. So we'll see. If they're happy, great; if not, we'll hear from them.

The second point I wanted to make is that so many agricultural stakeholders have raised concerns that this bill may lead to the government overly dictating and circumscribing animal production practices in the name of health protection. My colleague from Kenora—Rainy River talked about Turkey Farmers of Ontario, which recently passed a regulation restricting turkeys from going outdoors, on safety grounds. We know that this regulation conflicts with the requirement that turkeys have access to the outside in order to be certified as organic. There is a debate about whether the outdoor requirement is a health concern, but what is clear is that the Turkey Farmers of Ontario were able to basically strike out organic turkey production on farms with more than 50 turkeys with the stroke of a pen, with only questionable health benefits. So the efforts made by organic farmers' organizations to suggest a compromise—such as the one reached in Quebec, where

feeding was outside—were scuttled, as far as we understand.

The point to be made here is that sometimes the protection of health can be used as a pretext to marginalize alternative farming methods and methods such as organics and biodynamics.

My understanding is that the ministry officials have assured stakeholders it is not the intention of the ministry to impose a monolithic approach to production with this bill. If that's true, it would be nice to put that language in the bill so that we could all be assured that that's not the intent. I wonder—what do you think?

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Rick Johnson: The whole purpose of this bill is to confirm that the livestock and poultry industries are vital contributors to Ontario's economy, and because of this, we've taken steps to introduce this bill.

Protecting livestock and poultry is not just important for the economic well-being of the industry. We know that there's a link between animal health and human health, and protecting our food animals can help us better protect our people.

In recent years the government has taken many steps to do this: by establishing the Office of the Chief Veterinarian for Ontario, investing in the Animal Health Laboratory, and helping provincial livestock and poultry organizations develop their own traceability programs, biosecurity protocols and emergency plans.

As we have said over and over this afternoon, the whole traceability piece—we're in discussion with the federal government on this. It's disappointing that members of the opposition don't seem to have faith in the federal government that they will deliver on this. We have continued to work with them. There's no point in reinventing the wheel. If it's going to come from the federal government, it will come; if it doesn't, this bill enables us to take the steps that are necessary so that we can have our own system in place. I do still have trust in the federal government that they will deliver on what they have promised.

As we move through this, it was great to hear the member for Brant talk about all of the issues that he has with the farmers in his area. They truly are doing great work. Having those proper regulations in place to guarantee and protect their industry is what this is all about. It's making sure that we have a stable food supply. As we follow the food from the farm to the fork, it's so important that we have these proper protections in place to protect the industry.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. John O'Toole: The member from Brant did make a couple of points, and one of them that I heard was that he generally implied that stakeholders have commonly agreed with this. I think he would be wise to speak to Wayne Bartels and other members of the hog industry, because they are waiting for and in fact perhaps expected the minister today, in the context of this bill, to come to the table with the federal government.

In my statement today, I spoke on behalf of an agricultural business in my riding. I spoke of a specific case. I've spoken directly with and written to the minister, and I have several responses as I speak here.

Regarding the industry at this time, outside of the pertinent issues that we agree with—food quality and food safety—the Ministry of Agriculture is missing from much of the debate in agriculture and the livestock sector today, missing from the point of view of stepping up and showing real leadership in making sure that there is cost recovery in all of the challenges facing agriculture. I don't think they disagree at all with doing the right thing. Anything I've heard from my riding of Durham is that food quality, food safety, the 100-mile diet and all those things are highly championed. In fact, agriculture would be arguably the first, largest business in Durham. We always said it was the auto industry, but now we're seeing that perhaps it is agriculture. In fact, for our own health and welfare generally, it is the first industry, using the principles we're talking about. But what's missing here, again, is the integrity or the clarity, if I could say, to make sure that they're not just downloading more red tape to farm businesses.

I have a case that I mentioned. They are the largest hog producers in Durham region, finishing over 7,000 finished hogs in 2007, yet they did not qualify for the cattle, hog and horticultural payments because of some red tape interpretation of some of the input costs.

There's a lot of work to be done—

The Deputy Speaker (Mr. Bruce Crozier): Thank you.

Mr. John O'Toole: —as long as we work together.

The Deputy Speaker (Mr. Bruce Crozier): Member for Brant, you have up to two minutes to respond.

Mr. Dave Levac: I'd like to acknowledge and thank the members from Haldimand-Norfolk, Trinity-Spadina and Haliburton-Kawartha Lakes-Brock—that's only one riding—and the member from Durham.

The member from Durham loves to raise the boogeyman of the red tape, and I'm wondering if the meat inspectors they fired were red tape. I wonder if the boogeyman came back and haunted us when they got rid of the water inspectors. So, please spare me the ask of being wise when it comes to red tape.

The member from Haliburton-Kawartha Lakes-Brock offers the sound advice of a parliamentary assistant who's doing his job. So I thank you deeply and will listen carefully to your advice as you seek that from the stakeholders.

The member from Trinity-Spadina: Yes, we will hear them. We will listen. We will be participating in the debate. You asked us about the organics. I'm not versed in the details of what you're asking, but my understanding is that the bill, or the implementation of what you're talking about, was not designed for that reason. There is no kind of conspiracy here to get rid of organic turkey farmers. It's basically something that needs to continue being discussed, and I'm told that that would be happening. I don't know enough of the details, but I can assure you, from my understanding, that that is not the case.

The member from Haldimand–Norfolk has a tremendous influence on the federal government, and I hope he exercises it. I hope he exercises it with his federal colleagues on the border issue, because he knows just as much as I do that it is absolutely germane to the discussion about the feds getting Health Canada people in there, making sure that we don't have those apples from China that are coming in with DDT on them. It's a federal issue. So pick up the phone, my friend, and use

that wonderful influence you have with the federal government—and while you've got them on the phone, talk to them about the traceability. I would appreciate it.

The Deputy Speaker (Mr. Bruce Crozier): Thank you.

Second reading debate deemed adjourned.

The Deputy Speaker (Mr. Bruce Crozier): It being a couple of minutes past 6 of the clock, this House is adjourned until 9 of the clock tomorrow morning.

The House adjourned at 1803.

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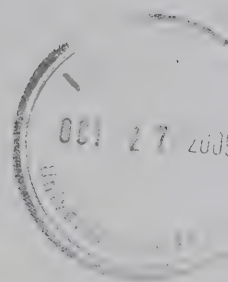
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Tuesday 20 October 2009

Mardi 20 octobre 2009

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

Clerk
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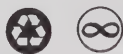
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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 20 October 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 20 octobre 2009

The House met at 0900.

The Speaker (Hon. Steve Peters): Good morning. Please remain standing for the Lord's Prayer, followed by a moment of silence for inner thought and personal reflection.

Prayers.

ORDERS OF THE DAY

OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT (VIOLENCE AND HARASSMENT IN THE WORKPLACE), 2009

LOI DE 2009 MODIFIANT LA LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL (VIOLENCE ET HARCÈLEMENT AU TRAVAIL)

Resuming the debate adjourned on October 5, 2009, on the motion for second reading of Bill 168, An Act to amend the Occupational Health and Safety Act with respect to violence and harassment in the workplace and other matters / Projet de loi 168, Loi modifiant la Loi sur la santé et la sécurité au travail en ce qui concerne la violence et le harcèlement au travail et d'autres questions.

The Speaker (Hon. Steve Peters): Further debate?

Ms. Helena Jaczek: It gives me great pleasure to enter into the debate on Bill 168, an act that will introduce amendments to the Occupational Health and Safety Act to prevent workplace violence and to address workplace harassment. Certainly, I think everyone in this House must agree that everyone should be able to work without fear of violence in a safe and healthy workplace. I'd like to address this issue from the perspective of both the employer in the health care setting and also as a health care worker myself.

I think we need to acknowledge that there is, especially in the health care sector, the real possibility of physical violence occurring. As the commissioner of health services, I was ultimately responsible for both the safety of the residents and the workers in the region of York's long-term-care facilities. In that capacity, I remember very well looking through the incident reports of serious occurrences in the long-term-care facility and drilling down to see exactly what the situation had been. In most cases, the situation was where an elderly

Alzheimer's patient suffering from dementia had exhibited violent behaviour towards a health care worker and the health care worker had, in some fashion, retaliated. Of course, this was unacceptable from the point of view of hurting or physically damaging the patient in this case, but drilling down into those occurrences, it also became very clear that many actions could have been taken to prevent the incident from occurring in the first place.

We, as an example, instituted an educational program so that all workers in our long-term-care facilities would be extremely aware of the nature of the disease the patients they were caring for were suffering from so that they understood that in some cases, certainly not all, a small number of patients with Alzheimer's, out of frustration from their disease, may act out using behaviours that could be construed as violent and that the health care worker should take some actions instead of retaliating. But to understand the disease, we instituted anger management courses so that workers would also be able to analyze their own reactions to the perceived risk from these particular patients.

We also instituted the measure that immediately upon feeling that there was a potential for physical violence, the worker obtain the assistance of another worker so that two people would be able to deal with the situation. We were also very much into mitigation of the physical space within which our Alzheimer's patients were living, so that corridors did not end in blind dead ends, that there was always a circle that patients could walk in, thereby lessening their feelings of frustration.

What we noticed after we did institute these educational and mitigation preventive measures was we saw a rapid decline in the incidents, which obviously benefited both residents and the health care worker.

I remember many, many years ago, when I was a fourth-year medical student, looking at this particular issue of violence in the workplace from the perspective of a health care worker. I was a clinical clerk, a fourth-year medical student, doing my psychiatry rotation in a downtown teaching hospital, and I was asked to take a history from a patient with a diagnosis of paranoid schizophrenia. I had, of course, learned from the textbooks exactly what the signs and symptoms of this disease were, and certainly, in some cases, there is the potential for physical violence.

It never occurred to me, as someone dedicated to helping people, that I might potentially be the subject of a physical attack, so I went into the interview room, closed the door, sat at the desk, and within about five minutes, realized that the patient was not seeing me as someone

there to help him but probably, with the hallucinations he was experiencing, I looked exactly like the devil incarnate.

I rapidly left the room and I reported to my supervisor that I was fearful of physical violence. I was told, "Oh, didn't anyone actually mention to you that you should always interview someone with paranoid schizophrenia with the door open and sit close to the door?" When I managed to suggest that perhaps there should be two people in such a situation, I was looked upon with derision. In those days, medicine was an ordeal by fire and putting yourself at risk was considered part of the culture.

I'd certainly like to say that we've come a very long way from those days. We have taken steps in this particular legislation to address the issue, first, of harassment, with specific programs to be put in place to lessen the risk of harassment, and then, of course, the provision now that someone fearing physical violence in the workplace has the right to refuse that work. Again, we do address many other issues in the bill—domestic violence, as well.

I would simply like to conclude in saying that I'm so pleased to see that the Registered Nurses' Association of Ontario, Doris Grinspun, and also Dr. Ken Arnold, the president of the Ontario Medical Association, have commended our government on the introduction of this bill.

Just to quote Dr. Arnold, "Ontario's doctors commend the provincial government for its introduction of Bill 168, which aims to better protect workers from violence in the workplace.

"We believe every health care provider has the right to a safe work environment and we hope these legislative amendments to the Occupational Health and Safety Act will help to ensure their safety."

The Acting Speaker (Mrs. Julia Munro): Questions and comments?
0910

Mr. John O'Toole: I look forward to commenting on this bill myself this morning. I'm sure the member who just spoke—from Oak Ridges–Markham, I guess it is—as a medical officer of health for York region, saw some of the unfortunate circumstances.

The domestic violence issue is the one that I'm most concerned about. In the workplace, this bill is purporting that a person would have to make a disclosure to their superior in the workplace. I find that quite uncomfortable; in fact, I am not supportive of the bill for that reason.

Harassment in the workplace is another thing. I think overt harassment should be completely forbidden. As well, punitive actions could be taken—dismissal etc. But when you start to get into the personal lives of individuals, men or women—or, for that matter, a person's lifestyle issues become something of a personal, confidential and private nature.

At the same time, I had a bill, the Lori Dupont Act, which I'll be speaking about more definitely, but I'd like the member who spoke on this bill to respond to my concern about bringing forward in the workplace—in the

strictest of confidence, I guess—family relationship problems or emotional relationship problems that could be considered as interfering in the workplace and making a person vulnerable in the workplace—for sexual harassment, let's be straight about it and see if the member would respond to me in that case.

All of us here certainly want the workplace to be safe and to feel safe, but at the same time, do we want to expose our personal problems?

The Acting Speaker (Mrs. Julia Munro): Further debate? The member from—

Mr. Paul Miller: Debate or questions and comments?

The Acting Speaker (Mrs. Julia Munro): Sorry. Questions and comments?

Mr. Paul Miller: I'd like to commend the member from Oak Ridges–Markham for her statement. There's nothing like a hands-on experience from being in the medical field like she was—and could be again. It was quite interesting to hear what she had to say about her personal experience in that situation.

Some of our health workers are constantly exposed to dangerous situations, as well as our teachers in the schools, where it can happen. My wife is a teacher, and she has had the odd incidents in schools over the years that require restraint and how to handle the kids—as well, in the medical area, adults.

I think that these types of protections in the workplace are necessary and should have been done a long time ago. We feel that anything that moves in the direction of protection of health workers as well as teachers or any other people that are in the—and you know, you have bullying in plants, too. You have people who use their physical presence to intimidate other workers and really terrorize people in the workplace. But this has got to end and we are in support of anything that would move in that direction to help people.

The Acting Speaker (Mrs. Julia Munro): Further comments?

Mr. Jeff Leal: I came in at the tail end, and hearing the speech made by my colleague from Oak Ridges–Markham, I can assure the people in Oak Ridges–Markham that she will have a very long and very distinguished career in this House, because she is a remarkable member.

But, interestingly enough, to be a former chief medical officer of health, which she was, that position is a very unique position in that you are dealing with hospitals, with municipalities and with school boards, and it really gives you a unique insight into harassment that may be occurring. Something that we all want to do is to eradicate that.

Interjection.

Mr. Jeff Leal: The member from Durham is interjecting, and to be fair, he's been a leader. He's had a private member's bill, and he has seen first-hand, with a situation in his particular riding, why this legislation is needed and the need to rally all the forces we can to get rid of violence in the workplace.

I heard the member from Hamilton East–Stoney Creek. My wife is also a teacher, and you hear about those experiences that occur in the classroom and within the teaching profession. Again, we need to do everything we can to eradicate the violence and the potential of harassment and really glean some insight into individuals who potentially could have these problems, to be in a proactive position to get to that individual before something very tragic happens. We're all very aware of high-profile cases that have been reported upon in the media, and the kind of devastation that can happen when we don't have legislation in place to be proactive and get to the root of the problem as quickly as we can.

The Acting Speaker (Mrs. Julia Munro): Questions and comments?

Mr. Peter Shurman: I listened with interest to my colleague from Oak Ridges–Markham, and it's hard to disagree with any of the sentiments that she expresses, because if you ask me or anybody else, "Do you agree that we should control violence, or sexual or any other kind of harassment, in the workplace?" the answer would be an obvious yes. But I find myself constantly at a loss for an ability to wrap my head around and agree with a bill like this, because I don't know where the dots are connected in terms of creating a law and having that law attached to the workplace in a meaningful way, where we actually can exercise the control that we're discussing.

The bill says that in the workplace, once this becomes law, you have to prepare a policy regarding workplace violence. So what's that policy going to be? The policy is going to be, in two short words, "No violence." But it's not a predictable thing. Just because you enact a law or because you say there won't be violence in a workplace doesn't guarantee anything, certainly not violence in the workplace, which is very typically spontaneous. That's what violence in a workplace is. It isn't, "I'm going to go to work this morning and be violent." It is, to use the vernacular of the day, somebody going postal.

As far as sexual harassment is concerned, that is more easily controlled, but again, this bill says, "You will prepare a policy on workplace harassment." It seems to me that in legislation at the federal and provincial levels there's much reference to harassment in the workplace and what you may and may not do and what may and may not be interpreted as harassment. So that begs the question, why do you need this law? Again, I am concerned, and I say this to the member from Oak Ridges, with being put in a position where if I don't vote for this, I'm obviously for violence and harassment in the workplace, when such is obviously not the case.

The Acting Speaker (Mrs. Julia Munro): The member from Oak Ridges–Markham has two minutes to respond.

Ms. Helena Jaczek: I'd very much like to thank my colleagues from Hamilton East–Stoney Creek, Peterborough and Thornhill for their mostly very gracious remarks. I'm glad to hear that there is a consensus developing that Bill 168 is putting us very clearly in the right direction to ensure that our workplaces are safer.

I certainly, perhaps in contrast to the member from Thornhill, believe that employers will be fully capable of putting together policies to prevent harassment and violence in the workplace. It simply requires, obviously, the understanding of the goal. I don't think there is an employer out there who wouldn't want to avoid a situation in their workplace, whether it simply be in terms of protecting their workers, which is what we would expect, but also from the business perspective that no one would want a situation developing in their own organization that could lead to that particular institution or business being looked upon in a negative light. So I have every faith that where there is goodwill and knowledge of best practices, these will in fact be disseminated. We certainly put some teeth into the bill so that inspectors will be able to come in and examine such policies and ensure that they meet the goals that clearly we share with all Ontarians.

Just in closing, I would like to remind everyone that we do have endorsements from many other individuals, including the teachers' associations, the medical profession and also unions. Thank you so much.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. John O'Toole: It's a pleasure to participate in second reading of Bill 168 this morning. I think my colleague from Thornhill summed it up quite succinctly when he said that the goals and objectives of Bill 168, to stop—create a non-violent, harassment-free workplace, are goals we all support. Let's be very clear on behalf of the opposition party and our leader, Tim Hudak: We espouse that virtue completely. In fact, if you look at the labour legislation that exists today, the right to refuse unsafe work exists today in the statutes.

0920

There are committees established in—I think all workplaces have a safety committee that reviews everything from hazardous materials to dangerous working conditions. All accidents in the workplace are reported. Repeated accidents in the workplace would certainly provoke labour ministry inspectors to come to the workplace. Whether it's a WSIB—that's the Workplace Safety and Insurance Board—claim or claim history, there's a lot of existing structure around the workplace.

I think what I have the biggest problem with is, when I think back to a couple of bills—and in Bill 168 there's a section that should trigger a bit of concern. This bill actually rescinds and repeals an existing act. It rescinds and repeals the Domestic Violence Protection Act, which is a bill that passed in 2000. The Domestic Violence Protection Act of 2000 was repealed in this bill. In that case here, I don't know why they didn't proclaim that bill.

When I looked at that myself—and I'm talking about a specific case; it was called the Lori Dupont Act. After three or four events that I was aware of which were domestic violence that showed up in the workplace—and this was the case of Lori Dupont, who was a surgical nurse, I gather, in Hamilton, and her estranged husband. There was an attempt by Ms. Dupont to get a restraining

order, and she was not able to require that restraining order. Anyway, this estranged husband, who was a doctor, came in and killed Ms. Dupont; then he killed himself, actually. The workplace, of course, happened to be in a hospital, which was even more tragic—a place where people are trying to be cured.

I started with the Lori Dupont Act, and that bill was in memory of Lori Dupont to better protect victims of domestic violence. It, on its own, had a specific relationship to this bill, and it was Bill 10, my bill—but it actually reflected things that happened in my riding. This could be considered domestic violence as well: It was Jennifer Copithorn, who was a bank clerk. She was on her way to work—in fact, she was on the steps to the workplace, and the workplace happened to be across the road from my constituency office in Durham, specifically in Bowmanville—and her estranged boyfriend murdered her. That really drove it home. Let's put it that way: It put it home to me. So I'm still not happy that this bill deals with it in a significant way.

But what my bill did is empower the victims to be able to get a restraining order seven days a week, 24 hours a day—to be able to go to a JP and get a restraining order. Now, that's the same thing that Bill 133, the Domestic Violence Protection Act, 2000, that I referred to—that bill itself was not proclaimed for the same reason. It was to get a restraining order seven days a week, 24 hours a day, so that you could get the protection when and where you needed it at any time—not just in the workplace, but any place. And you could get a court to review the restraining order and other guidance around that particular bill. So I'm quite concerned that the bill doesn't quite do what many that I've talked to think it should.

I want to go to some of the details here, as my friend from Thornhill—or my colleague, certainly. I consider him a friend as well, but he is certainly is a colleague. He's sitting beside me.

Anyway, this is the part of the bill that gets into the way this current government tends to go about everything. They circumvent the obvious solutions. I'll just read some of the sections. Madam Speaker, I know you have done a lot of work in various areas in this Legislature and you'll probably nod your head, I'm sure, at some of these comments and observations. It could be up and down or sideways; I just said you could move.

But in the first part it says, "Section 32.0.1 of the act requires an employer to prepare policies with respect to workplace violence and workplace harassment, and to review the policies at least annually." It's easy for Minister Fonseca. Sometimes when he speaks, I think he is the fellow from Entertainment Tonight. But anyway, it's fine for them to say that. Are they giving them any resources to do it? How about the small employer? How big? How small?

It goes on: "Section 32.0.2 of the act requires an employer to develop a program"—not just a plan but a program—"to implement the workplace violence policy. The program must include measures to control risks of workplace violence identified in the risk assessment that

is required under section 32.0.3, to summon immediate assistance when workplace violence occurs, and for workers to report incidents or threats of workplace violence. The program must also set out how the employer will deal with incidents, complaints and threats of workplace violence."

You can't argue, as my colleague from Thornhill said, with the intent here. It's the process. These poor employers today are worried about laying people off because of the economy. I don't blame all this economy turmoil on Premier McGuinty. This Thursday, we'll hear the Minister of Finance saying that—we could actually have a lottery on this. The Minister of Finance is going to do an economic update, and I put on the table today that my forecast is over \$20 billion.

Mr. Peter Shurman: Easily.

Mr. John O'Toole: Easily over \$20 billion. You could move your head sideways or up and down, Madam Speaker. It's going to be humongous. We are spending \$2 million an hour more than we're taking in as revenue.

We're putting more red tape on the workplace in Bill 168. I think there are other ways to achieve this. If the Minister of Labour wants to cut a cheque to have this person—because I'm going to go on: "Section 32.0.3. of the act requires an employer to assess the risk of workplace violence and to report the results of the assessment to the joint health and safety committee or to a health and safety representative." Is that a full-time job or a part-time job? Are they going to be on the tools, on the factory floor, or do they have an office? "If there is no committee or representative, the results must be reported to the workers"—everyone called together at the lunch hour in the cafeteria, I guess. "The risk must be reassessed as often as is necessary to protect workers from workplace violence." There's a lot of red tape in that.

My friend from Thornhill said it briefly: The workplace policy on this should be that violence will not be tolerated—immediate dismissal. That's fairly simple. When you hire, you assess people, and if they've had—let's carry this forward. If due diligence and risk assessment—I think I should have a profile on every employee. If they've ever been involved as a perpetrator in violence, domestic or otherwise, they shouldn't be hired.

What are we doing about workplace violence in hockey? It's full of it. What is it saying to our children? Where does government stop and where does it start? The fundamental question and the broader philosophy of this discussion are, where is the place of government in our lives? Have clear, specific rules: "Thou shalt not do the following things, and here are the consequences if you do."

Bullying in the schoolyards: I look at the new pages here. They are a lovely group of young, intelligent people who are here to witness the participation in the debate. There are not a lot of people here this morning, but nonetheless—I would say that there's not good evidence of people interested in this topic. But I'm just going on here:

"Under section 32.0.4 of the act, if an employer is aware, or"—this is a key word too; you've got to be

careful with some of these legal words—"ought to be aware"—what is that, "ought to be aware"? Were they closing their eyes?

0930

Mr. Peter Shurman: Shoulda, woulda, coulda.

Mr. John O'Toole: Shoulda, woulda, coulda—"aware that domestic violence that is likely to expose a worker to physical injury may occur in the workplace, the employer must take every reasonable precaution to protect the worker." I agree with that.

Okay, let's review that. Let's say you're in a factory with 500 employees and you're the immediate supervisor. There's probably one supervisor for every 30 people or so. With 500 employees—let's keep it simple—you probably have 25 employees per group, per supervisor, so there are roughly 25 supervisors. You've got to train them, then you have another person and then you have to have a designated person who's going to be the workplace representative. And you have to be aware of all of their backgrounds. In fact, you should pretty well do a little profile on them, really. The medical officer of health, the member that spoke earlier from Oak Ridges-Markham, would know there's probably evidence of a person's character when you are interviewing them. Did they tell you the truth that they've never been involved in violence, that they've never been involved in domestic disputes or other things that wouldn't be helpful to the workplace? So all those 500 employees would be interviewed. You would have to have a profile case on them all. I don't think that's appropriate.

Now, does this mean that anyone who has ever been involved in violence, like an ex-convict, male or female, shouldn't be hired? This gets pretty serious, because if I'm hiring someone who's got a history of violence and they perpetrate violence in the workplace and they didn't tell me, I ought to have known that they would possibly act out in the workplace, so I'm culpable. I'm now in court. I'm being sued, when that person who felt threatened has the responsibility on their part to advise the supervisor, and the supervisor to the president of the company, I guess, because ultimately they're going to be guilty of something.

So if I know that I have a domestic problem and I tell my supervisor, what is going to be in the plan? It says in here that they should be able to have someone show up if something happens. It says, "to summon immediate assistance." Now, who would that be? It says in here, under section 32, that the person should be able to summon immediate assistance. I'm feeling threatened, and I'm going to call who? I guess we're going to have to call the police. Now, we have police in our schools today. Okay. How's that working out? I'm telling you, they aren't handling the bullying in our schools properly, let alone this bill.

Let's review where we are at this point in the discussion. First of all, we agree that workplace violence and harassment in the workplace, sexual or otherwise, should not be tolerated. How they're going about it is, they've got this can of red ink and they're drawing up all

these rules for some board to be put on, "Thou shalt do the following things," and there's not one cent in here for the employers to transition into this. Yet we have proven here that there's a requirement. The person who feels threatened or victimized in a domestic situation, let's say that alone, under the Lori Dupont Act or Bill 133, the provincial domestic violence act, can get a restraining order seven days a week, 24 hours a day. In that order it should say, "In the workplace, the person should not allow Mr. or Mrs. X to come into the place," if they work there—it's possible they could be working in the place—and that could be the action taken: a reasonable, practical way of implementing from the victim's perspective. But if I came to the workplace, I've been there three months, new job, and I'm saying that I feel threatened by that big bully over there or whatever it is—some of this just doesn't make any sense from the point of implementation. In the emotional level of reasoning, it makes sense, but on the practical level this piece of work here is a work of fiction. If I go on to look at 32(5) of the act, it clarifies that the employer's duties in section 25, the supervisor's duties in section 27 and the worker's duties in section 28 apply as appropriate with respect to workplace violence. Subsection 32(5) also requires—here's another rule for the employer; get out the red tape to make the sign—to provide a worker with information and instruction on the contents of workplace violence policy and programs.

All of this is very nice. I've worked for 30 years, mostly in an industrial kind of environment. Probably about 10 of it was in a computer kind of environment. It's kind of industrial; it's quite noisy with all the computers humming and buzzing and whirring. But there were probably tensions in those workplaces, whichever, whether it was the computer room or the personnel department or in the workplace on the plant floor itself. People have good days and bad days, and the odd time in my 30-plus years I saw a couple of fights. I saw different things that weren't appropriate. I'm not sure this bill is going to fix it either, actually. What it does is shift any responsibility from the Ministry of Labour onto the employer. That's what this does. And he doesn't give them five cents to fix this problem; it gives them a bunch of red tape—they probably have to hire a lawyer to draft up this risk assessment. They'll have to hire a statistician to do the statistical risk assessment and they'll have to hire a consultant, hopefully one of the Liberal consultants because they're all discharged from eHealth now, so a lot of them would be available. They are very expensive, though. Some of them are \$2,800 a day. They may be out of work for a while because of the auditor's report.

Bringing this back, there's a lot of red tape in here that doesn't achieve the goal that we want to achieve, which is to ensure the protection, especially from domestic violence in the workplace. We had a bill, Bill 10; this bill could have passed and could have solved this problem. What have they done? They've flung it out. In fact, the parent bill, Bill 133, it's rescinded. That bill was passed by all the parties in this Legislature in 2000 but it was never proclaimed. Why wasn't it proclaimed?

If you probe into why it wasn't proclaimed and why they're getting rid of the Lori Dupont Act, which would have allowed the justice of the peace to issue a restraining order, seven days a week, 24 hours a day—I'm wondering if the judicial council has meddled with this. Maybe they don't want to give up certain powers and authorities. I don't know. I'm putting this on the table. Perhaps the minister—I won't comment whether or not he or she is here, but perhaps we'll follow up on this. The parliamentary assistant, I think, is—who is the parliamentary assistant on this, anyway? Well, pardon me. We can't say whether they're here or not because attendance is down a bit. We could probably call if there is a quorum. But I wouldn't want to do that with me speaking. There would be no one here then.

Anyway, I'm going to wrap it up in a very brief time. I should be given an hour on this because this bill—

Interjections.

Mr. John O'Toole: Here's the real deal. The bill amends section 43 of the act—but this is important—which deals with the worker's right to refuse work in various circumstances. This exists already. We have the member from Hamilton East–Stoney Creek. He's an expert in labour rights and does an excellent job in this Legislature. He, in his two-minute response—I'm encouraging someone to participate in this debate—could address it, because there is a right to refuse work today that is considered unsafe. There is a right to refuse based on this as well. If I felt unsafe because of some big bully or some big machine that was hanging over my head, I have a duty—not just a right; a duty—to report it. The employer has duties and responsibilities in this relationship as well. In the case of a worker with limited rights of refusal to work under situations—it is incumbent on the employer to make the place, if there isn't a union. So I think we have difficulty with this bill, as I've expressed this morning.

The Acting Speaker (Mrs. Julia Munro): Further debate? The member from Hamilton East–Stoney Creek.

Mr. Paul Miller: Questions and comments.

The Acting Speaker (Mrs. Julia Munro): Oh, sorry. Questions and comments?

0940

Mr. Paul Miller: I was going to question some of the logic Mr. O'Toole was using, but because of the compliment, it's difficult to.

Basically, we feel that this bill is a start, but it falls far short of what we'd like to see. It seems to be a pattern that it doesn't come up to snuff, so to speak. We don't feel that it cuts what we require.

The only thing I would argue with the member from Durham is that safety and health is different than workplace violence. Safety and health applies to unsafe job practices. It also gives the worker the right to refusal, as he mentioned, and the worker can have the ministry come in to determine whether it's safe or not to proceed with the job. But when you're talking about workplace violence, you're talking about a different ball game.

Over the years, working in the environment that I worked in, I saw a lot of harassment and a lot of violence from people and individuals. It ended up being that both people would be sent home—the victim and the bully would be sent home until they straightened it out, and they'd both lose wages—because they did not have legislation in place to cover this type of situation and the employer really didn't have a section of the bill or anything to enforce their position. It can be a very difficult thing unless you spell it out. If the rules are spelled out directly and appropriately, then you will know what route to take as an employer.

As far as the expense to an employer goes, they spend millions of dollars a year in Ontario on safety and health. I think that could be included in there and I don't think it would be any additional cost. If it required any litigation, they could go outside and hire a lawyer if the victim wants to charge.

The Acting Speaker (Mrs. Julia Munro): Further comments and questions?

Mr. Mike Colle: Just a bit of a rebuttal to my colleague from Durham: If he looks closely at the bill, he'll see that there is a provision in Bill 168 that addresses domestic violence when it occurs in connection with the workplace. Also, the proposed bill would require an employer to act as if they are told about a domestic violence situation or they see physical evidence of such. So there is that kind of alert process in the bill that would require an employer to be cognizant of any domestic violence situation.

The bill would not require an employer to question each individual employee about their personal relationship on a regular basis and intrude on them. There is no intrusion allowed into a person's personal life.

I know some employer groups are concerned about employer obligations, and that's acknowledged. But there is a provision in the bill, which the Ministry of Labour and the health and safety associations are working on, that would deal with this concern. In conjunction with the Ontario Women's Directorate, the Ministry of Labour has been working on resources to help employers understand this issue.

This bill is not going to end the scourge of domestic violence, nor does it seek to do that, or the scourge of violence in the workplace. But it does bring awareness; it does bring in concrete steps. I know one of the areas that is of great concern to me is the abuse and harassment that takes place of newcomers who are in the workplace, who work in factories—18 hours a day, some of them—who work Saturdays and Sundays, who can't speak English and have nowhere to go to get any kind of defence. That's why we need this kind of awareness and we need something to be done.

The Acting Speaker (Mrs. Julia Munro): Further comments?

Mr. Peter Shurman: I listened with interest to my colleague and my friend from Durham, who I've gotten to know fairly well over the past couple of years. If anybody stands with a degree of legitimacy in this Legis-

lature to talk to a bill like this, it would be somebody like my friend from Durham, because before coming to the Legislature, it's worth noting, he spent a considerable amount of time in worthy endeavours around human resources and does understand the scope of what is and isn't feasible within a workplace.

I think every member from every party who stood up to either speak or comment on this bill has talked about the fact that it's a worthy goal. But bills should not be simply a good start or a worthy goal or something designed to raise awareness. They constitute, ultimately, law that involves the necessity to implement at some cost, both financial and moral and on every other level in the workplace, things that are not necessarily doable.

My friend from Durham, as he pointed out, has been involved on an earnest basis in bills that were worthy of passage—bills that were either passed and not proclaimed or weren't passed at all. The Lori Dupont bill, his own bill, comes to mind. It would have enforced 24/7 bans on any kind of—restraining orders, basically, that would be enforced 24/7 against people who would necessarily perpetrate violence against someone. That's a worthy kind of bill to prevent violence, not create a position within a workplace that seeks to look into 10 or 20 or 100 or 200 people's lives when we all know that you can't see into someone else's house, their kitchen, their bedroom. You don't know what's going on and you never will, and a bill will not regulate that.

The Acting Speaker (Mrs. Julia Munro): The member has two minutes to respond.

Mr. John O'Toole: I'd like to thank the members from Hamilton East–Stoney Creek, Eglinton–Lawrence, as well as Thornhill. In all cases they made compliments as well as observations that could be correct. The member from Hamilton was correct. Again, I say that he has a lot of experience in what he speaks about because of his time in the real world of work. He did, at the end, suggest that they could hire a lawyer when all else fails, and there is the right to refuse. This could be easily handled by simplifying the bill and saying, "There's a duty on the employee to disclose," but words like "ought to have known" become a vague kind of suggestion, and the employer is liable.

The member from Eglinton–Lawrence referred roughly to the same section. I'm going to read that. It says in section 32.0.4 that if an employer becomes aware or ought to be reasonably "aware that domestic violence that is likely to expose a worker to physical injury may occur in the workplace," the employer shall take every precaution reasonable in the circumstances. This whole "ought to have known" shifts the liability. How can the employer know all of the things without having an extensive amount of unnecessary information about males or females or members of whatever orientation in their workplace? It's completely inappropriate. People aren't likely going to be telling these personal things or personal stories. However, the employee who feels they could be threatened has a duty to report to the employer the circumstances and the individual that they suspect

could perpetrate violence in the workplace. That's a reasonable solution. We're going to propose those kinds of amendments this morning. But the reality is, this is more red tape on the employers, and ultimately, the victims have no better protection than they have today. They could get on with this and pass the Lori Dupont Act and/or fix this bill before we go forward.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Paul Miller: I'd like to start off by saying that this bill is a start, but it falls short of a lot of things that we would like to see in it. I'm hoping that at the committee level, the government will have an open mind to listen to the people who deal with this. I hope some of the presentations are from people who deal with this every day of their lives and are in this environment, and that they'll take note of the good advice they get from the labour movement.

Labour has a violence-in-the-workplace campaign which sets out general principles for this legislation and regulation. Workplace violence coverage should cover workplace violence from all sources: third party, someone who works at the workplace, a client or person who receives service from the organization, and include impacts of domestic violence. It should also cover all forms of violence in a comprehensive definition, including verbal, harassment and bullying, all the way to physical incidents of violence; define "harassment" to include a single event; and cover all workplaces in all provincial sectors.

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Changes are needed to the Occupational Health and Safety Act, which must include violence regulation. The proposed definition for "workplace violence" in Bill 168 limits violence to situations where the physical violence is being committed or attempted against a worker. This excludes situations where a person may be violent with another person in the workplace who is not a worker, but where the workers are expected to intervene to stop the violence—i.e., student-to-student, patient-on-patient, and client-on-client.

There are a couple of options acceptable to labour to address this. In paragraphs (a) and (b) of the definition, where they use the phrase "against a worker," change the word "worker" to "person" or—

Interjections.

Mr. Paul Miller: Madam Speaker, it's getting tough to speak here. There's too much distraction here, sidebars going on.

Delete the phrase "against a worker" altogether.

The current definition also does not cover threats or conduct that would lead to physical injury.

There are two possible ways to address this concern. Option one: Add a new provision, "(c) engaging in a course of vexatious comment or conduct against a worker in a workplace that provides reasonable grounds to believe it causes or could cause physical injury to the worker." Option two: Combine paragraphs (a) and (b),

then add a reference to threats which give workers reasonable cause to believe that they are at risk of injury.

One section of Bill 168 will limit domestic violence to physical force or attempted physical force. It does not include stalking or harassment that gives a worker reason to believe their health or safety is at risk. Revising the definition will resolve the concern. Use of the word "likely" in this section sets too high a standard. Labour proposes changing it to "reason to believe," as found in the current section of the act dealing with the right to refuse.

Some of the amendments needed to the act: They should have specific recognition in the Occupational Health and Safety Act that violence is an occupational hazard, and amendments to clarify the right-to-refuse section of the act to allow refusals for violence, i.e., because of a person, and by referencing the working environment. Third, reprisal protection should be strengthened. We can have the best regulations in the world, but unless it stops employers from intimidating workers to not report violent incidents, we will not have protected Ontario workers.

So what they're saying is that you have to have the support of all the parties, not only the legal system. You have to have support from the employer and the employees to work to rectify a situation. If one of them doesn't feel like taking part in it or is reluctant, that surely weakens the system.

Joint health and safety committees: Revise section 52(2) of the current act dealing with notifying the union and/or representative if an occupational disease claim has been filed as a result of a workplace harassment. Spell out reporting requirements. If someone is injured because the person who injured them or threatened them was not doing something safe, then there should be an additional penalty on the individual who caused the accident by not following the proper procedures or even by sabotaging the procedures of safe work to possibly injure another employee.

It should include a mention of meaningful consultation and participation with the joint health and safety committees and safety representatives of that organization. Now, this government is constantly bragging about WSIB and how they want to improve work and safety, but I'll tell you that about a third of the businesses in this province don't have health and safety committees. I guess what I'm saying is, practise what you preach. This could also fall under those committees to look at.

Health and safety: Employers must conduct hazard assessments in consultation with health and safety committees to identify whether workplace violence is a potential hazard. Could two workers who don't get along, it's known by other employees, and who are working in a situation by themselves in a dark corner of the plant or wherever they're working—could that one person have the ability to cause a person's injury and say, "Oh, it was just an accident," because there were only two of them working in that situation? The employer has to take responsibility when he knows there is a morale problem

or there's a problem between two workers. To put them in a situation where they are by themselves and they have a beef with each other I don't think is a wise move. That's another thing that's overlooked in the bill.

The bill requires employers to conduct a risk assessment but only requires that the joint health and safety committee representative be advised of the results and be given a copy. This falls far short of what we'd like to see. That representative should take part in any discussions between the company, the employee and the other employee if there are harassment problems, not just given a copy of the results of the discussions. There could be something that those employees don't realize they are entitled to or they are misrepresented in those meetings, and this person who is trained would be able to help them in a situation which could have negative results for them.

The designated substance regulation, DSR, requires employers to carry out assessments in consultation with the joint health and safety committees and empower the joint health and safety committees to make recommendations with respect to the assessment. The bill provides very little detail on what employers should be looking at in this assessment. A definition of risk assessment is needed and should be specified. It isn't in this bill.

Labour has a long-time standing opposition against any assessment that emphasizes a management of risk over controlling hazards to protect workers. Labour is prepared to accept the phrase "risk assessment" only if it's defined as a hazard assessment and the reference to risk 32.0.3 made plural.

Information must be provided to workers about the potential for violence and incidents of violence and maintaining respect for the privacy of individuals. Information and reporting to joint health and safety committees and health and safety reps: Plans need to be specific to the workplace, not just general; strong language for worker training, PowerPoint presentations and regular monthly safety meetings.

When I worked in the large plant where I worked, there'd be a big push for safety and health for a few months and then it would die off for whatever reason—they wanted more production or didn't have enough salaried personnel to conduct the meetings. We might go three or four months without a safety meeting at times. And that's a lot of time for things to fall off the railway and a lot of time for things to go back to bad practices which cause accidents. Regular monthly meetings are a must.

The bill requires employers to provide workers with information and instruction, but training is not mentioned. No training. I mean, how does a person deal with risk assessment, a hazard or workplace violence if that person isn't trained? So these joint health and safety committees should have a person—at least one person—on the committee who has some kind of courses to deal with workplace violence, and safety and health situations caused by workplace violence. I don't see that here.

Training is specifically mentioned under the act as a requirement for workers exposed to hazardous substances

and physical agents. Well, that's already there. We have our WHMIS, we have those programs in the plants, but we have no one on a committee to deal with these harassment situations. We need that.

Training must be developed, delivered and reviewed regularly in consultation with the joint health and safety committees. And here we are, we're back to those monthly meetings which are critical to all employees to refresh their memories on the policies of the company.

No consultation around information and instruction required in the bill: This requirement currently exists under the act for hazardous substances and physical agents—and there we go again, the same thing again.

Recognition that violence prevention includes measures and procedures, not just a policy, such as work practices, design and organization of work, procedure for chain of command reporting, and investigation and response—language from sections 8 and 9 of the regulation for health care and residential facilities would be a useful amendment.

The bill will require employers to develop a program to deal with workplace violence. This includes preparing measures and procedures to control the risks identified in the assessment, summoning assistance, reporting incidents or threats and investigations of incidents and complaints of threats. There is no consultation requirement nor is the employer required to provide a copy to the joint health and safety committee.

If you are going to have legislation in place, you also have to make the joint health and safety committee a big part of that because they are not only going to rectify the situation, they're going to help in the decision-making, and they should be involved. I don't see a lot of that in here. If you haven't got the people on the floor, the safety and health reps, who are in there day in and day out, where the management might not be, or it may be a hands-on or hands-off situation—they have to be aware of what is going on in their plant.

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Therefore employers must develop and annually review a comprehensive violence policy and program that should include:

- a commitment statement;
- a definition of workplace violence;
- sources of violence;
- recognition of workplace violence as an occupational hazard;
- hazard assessment as a mandatory step;
- how and what information is reported to workers and to the joint health and safety committees and health and safety reps;
- responsibilities and roles of employers, supervisors, joint health and safety committees, health and safety reps, and workers;
- mechanisms and processes to report, respond to and investigate violence incidents and hazards, and—a critical component—to provide follow-up to workers, and consultation and follow-up to joint health and safety committees, and meetings;

—provisions for how information and reporting goes up the chain of command, so that everyone is aware of the situation. Some of these plants employ thousands of employees. The guy at the top sometimes doesn't hear about it till months later. It should be immediate so he has a handle on what's going on in his company;

—recognition that violence prevention includes measures and procedures as well as policies, such as design and organization of the work;

—that joint health and safety committees and health and safety reps and workers be consulted in the development and review, and that the joint health and safety committee representatives' recommendations be given meaningful consideration;

—support mechanisms for workers;

—a process for follow-up that includes recommendations from the joint health and safety committee representatives, and reporting to all parties;

—reporting to the WSIB;

—sections 51 and 52 reporting obligations;

—section 9(31) entitlements to investigate critical injuries and fatalities;

—record-keeping and tracking and analysis of incidents, accidents, injuries and illnesses.

This bill does not even approach this level of detail of what the policy and program must include. Many provisions in this bill have a paragraph which allows for more detail in regulation, but the government has no plans to prepare violence-in-the-workplace regulation.

There is no provision for notifying the joint health and safety committees of the plants and the union of harassment incidents which result in WSIB claims. Labour wants to see either a revision to 52(2) or a new 52(4) added to address this. This will be brought out in committee, and I hope the government is listening.

There is a provision in the bill which enables the government to pass regulations to make specific requirements for any policy required under the act. This goes beyond the violence issue.

With some revisions, the new federal regulation could be used as a basis for new regulations. For instance, the definition would need rewriting. Sections 20.4 and 20.5 would be acceptable if they included a provision requiring the consideration of the isolation of the place of employment and the need to work alone. Section 20.6, dealing with controls, needs work and will need to include provisions addressing working alone or in isolation. All of paragraph 6 of section 20.9 would need to be deleted.

Labour likes the points covered in sections 20.7, 20.8 and 20.10 dealing with the measures review, procedures and training.

Labour does not want best practices in lieu of legislation, i.e., amendments to the act and a new regulation. Labour does not want participation in a tripartite agreement or process.

This bill really falls short of what the workplace needs. The members of the official opposition are correct: They don't feel that it covers certain areas. I

don't know if they are willing to go as far as we would like to see it go, but it definitely should.

I don't think that this type of legislation—it can be governed and overseen by the WSIB. They don't have to pass it on to the employer. The employer should not be saddled with any additional costs, but the employer should also have the ability to strengthen his health and safety committees and his union stewards and his front-line foremen so they can deal with this so that it doesn't become a cumbersome and ongoing problem for the employer. It should be rectified and done at the time of the incident or within a couple of days, straightened out and made quite clear to any employees that if they continue in this manner, it will mean that they will be fired. I think that that spells it out quite clearly. If people realize that it's going to cost them their income and their life's work, then I think they're going to think twice about some of the things they've been doing in the past.

In closing, the bill is a small start. We want to see a lot of changes to it before it goes to third reading. I hope, once again, that the government doesn't ignore the third party or the official opposition's amendments to bills, because some of them are excellent, and they should definitely take them into consideration.

The Acting Speaker (Mrs. Julia Munro): Comments and questions?

Mr. Mike Colle: As you know, we are now in second reading debate. Hopefully, many of the good points that the member from Hamilton East–Stoney Creek mentioned will be discussed in detail in committee, because this bill will go to committee, where there will be presentations made by a lot of the interested parties. These committees will be, I'm sure, quite helpful in getting the final draft of this bill. That's the critical stage. I think he has some very good recommendations that I hope they'll consider seriously.

I know the parliamentary assistant to the Minister of Labour, the member from Brampton West, is here today and listening very attentively—

Interjection.

Mr. Mike Colle: —not like the member from Durham, who's always talking and never listening. The member from Brampton West is listening. He's the parliamentary assistant and he is going to take a lot of this into consideration, bring it forward to the minister and also participate in the committee hearings because the committee hearings will hopefully make this a strong bill.

The bill doesn't pretend to answer all the critical issues that are sometimes found in workplaces, but it tries to put some pretty tough standards in place to prevent this type of systemic violence and harassment that takes place.

In fact, Ken Coran, the president of the Ontario Secondary School Teachers' Federation, says it best. He says, "The amendments introduced to the act clearly demonstrate that workplace violence and harassment will not be tolerated. Employers will now have to identify harassment and violence as hazards and implement policies and programs that are both preventative and

responsive." That is, I think, wrapping up the bill in a nutshell: preventive, making sure things don't happen, hopefully; and then responding if things do happen.

The Acting Speaker (Mrs. Julia Munro): Further comments and questions?

Mr. Toby Barrett: In this debate this morning, I found the remarks not only by the member from Hamilton East–Stoney Creek but also remarks by the member from Durham to be—I guess I would use the word "enlightening." They know of what they speak. The member from Durham has spent a number of years in personnel, human resources, with a very large organization in the auto sector.

Interjection.

Mr. Toby Barrett: What's wrong with General Motors? I drive a GMC Sierra that was built in Oshawa. Regrettably, they're now being built in Indiana. That's a problem for the steel industry, where the member from Hamilton East–Stoney Creek has spent a number of years. He knows labour issues very well. I've been at a number of meetings with the member from Hamilton East–Stoney Creek.

The point I want to make: Having two people like this involved in this legislation is doing the government a favour, in a sense, because these guys have a wealth of experience. The member from Hamilton East–Stoney Creek made a number of references to joint health and safety committees; that would be a joint union-management committee, in my understanding of the term.

I wish to make reference to work that I did for a number of years with both the auto industry and with the steel industry in setting up joint union-management committees with respect to employee assistance programming. Many of these committees remain in place. I feel that, rather than a sole focus in this legislation of having the employer required to prepare policy and implement the policy, let's draw in everybody; let's draw in the union and unionized shops and let's put emphasis on joint committees.

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The Acting Speaker (Mrs. Julia Munro): Further comments and questions?

Mr. John O'Toole: The member from Hamilton East, I appreciate his taking the time to try to comment and to make the bill better, and I think everyone here is really of the same view that that is the goal. I know the parliamentary assistant is here, and I would hope that he would take a couple of minutes and maybe respond to the remarks being made today.

I do see a fair amount of red tape in this bill. I would like assurances, and hopefully there would be hearings on the bill. As the member from Haldimand–Norfolk has suggested, a tri-party solution would not be a bad thing, where you'd have the union and the employers and the employees involved directly. I think it would build a better solution.

But what is the problem here in, specifically, the domestic violence portion? The problem is this: First of all, when you say someone ought to know that there's a

threat of danger of domestic violence in the workplace, it implies that the employee was to tell the employer that there have been domestic problems. Being a married person myself, an MPP and in the public service for 27 years roughly, it's not uncommon. I don't think that all violence is physical; I think some of it is other types of intimidation. My point is this: Some people are uncomfortable telling the employer about these personal problems.

Now, what if they don't tell the employer and there was evidence, police calls or whatever. Who is responsible? What they're doing here is shifting this responsibility of domestic violence to the employer. My bill, the Lori Dupont Act, proposed that victims could get a restraining order seven days a week, 24 hours a day. That order could address the workplace or it could address other places where the perpetrator could be, but that's what's missing from this bill—

The Acting Speaker (Mrs. Julia Munro): Thank you. Further comments or questions?

The member from Hamilton East–Stoney Creek has two minutes to respond.

Mr. Paul Miller: I'd just like to acknowledge the member from Eglinton–Lawrence. I appreciate the fact that he has been listening intently and that he was, I hope, sincere about listening to some of our suggestions in committee; that maybe the majority of members on the committee, being Liberal members, would consider some of these good suggestions.

I would also like to commend the member from Haldimand–Norfolk and the member from Durham, because these two gentlemen have a lot of experience in the labour movement, and I respect them both for their knowledge and their involvement. They do bring a different perspective to the table. Not necessarily are our ideologies the same, but it's definitely constructive to have other ideas and to be able to come to a happy medium when you're dealing with these types of bills, because we have to deal with all factions of our society and have to be reasonable when we bring forth the legislation that's beneficial to all Ontarians.

So basically, in closing, I'd just like to say that this bill is an important bill, and I'm sure that when it gets to committee the process will be open and fair and everyone will take into deep consideration some of the suggestions that have been brought forward here today.

The Acting Speaker (Mrs. Julia Munro): Further debate? Seeing none, Mr. Fonseca has moved second reading of Bill 168. Is it the pleasure of the House that the motion carry?

All in favour, say "aye."

All opposed, say "nay."

In my opinion, the ayes have it. The bill is carried.

Second reading agreed to.

The Acting Speaker (Mrs. Julia Munro): Shall the bill be ordered for third reading?

Hon. Michael Chan: I would ask that the bill be referred to the Standing Committee on Social Policy.

The Acting Speaker (Mrs. Julia Munro): So ordered.

This House stands recessed until 10:30 of the clock.

The House recessed from 1015 to 1030.

INTRODUCTION OF VISITORS

Mr. Eric Hoskins: I would like to ask the members of the House to join me in welcoming the family of page Madeline Lewis. Madeline attends Winona Drive Senior Public School in St. Paul's. Here with us today are Madeleine's father, Mark Lewis; her grandfather Ray Barton; her grandmother Ginny Booth; her second grandmother Ann Lewis; and her aunt Clair Zangari. Welcome to the Legislature.

Mr. Kim Craitor: I'm extremely pleased to introduce two special people from Niagara Falls, Doug James and Elisabeth Teunis. Both are very active in our community and have been involved with the Terry Fox run.

I also want to share something from Elisabeth, who particularly wanted to express her appreciation to the entire House. In 2006, Elisabeth was diagnosed with multiple myeloma, a cancer of the blood plasma that can be treated but not cured. Elisabeth just wants to say—and this is why she has come here today—thank you to the Ontario Legislature for approving Revlimid, a new cancer drug that will extend the life of many myeloma patients and that she herself may need at one time in the future. Again, thanks to the House for approving that.

Hon. Donna H. Cansfield: They haven't come in yet, but it's my pleasure today to introduce Ms. Kinney's class from Kipling Collegiate. Her grade 10 civics class has come to observe the decorum of the House.

The Speaker (Hon. Steve Peters): I trust everyone will co-operate with the minister and the students.

Mr. Charles Sousa: I would like to welcome to the Ontario Legislature a celebrated author, playwright, poet, professor and journalist from Portugal who won international acclaim when he was bestowed in 2008 with the PEN award in Europe. He joins us today at the invitation of community members and local universities to share his extensive work.

Please welcome Jaime Rocha, also known as Rui Ferreira Sousa. He is joined by his brother Jose Carlos Sousa, who is a long-time community activist, academic and businessman in Ontario.

As their surnames imply, they are related to this humble servant from Mississauga South; they're my cousins. Welcome to Queen's Park.

Hon. Deborah Matthews: It's my pleasure to introduce the members of the delegation from the Ontario Long Term Care Association. They're here today for the association's first-ever Long-Term Care Day at Queen's Park in celebration of their inaugural Long-Term Care Week.

The Ontario Long Term Care Association is celebrating 50 years as the only association representing the full spectrum of Ontario's charitable not-for-profit muni-

cial and private operators of over two thirds of the province's long-term-care homes.

With us in the gallery are: Grace Sweatman, CEO of Christie Gardens and the president of the OLTCA; David Cutler, CEO of Leisureworld Caregiving Centres and OLTCA's vice-president, government relations; Donna Kingelin, COO of Revera Living and OLTCA's vice-president, resident care and services; Robert Zober, treasurer of Collingwood Nursing Home and vice-president at large; and Christina Bisanz, CEO of the Ontario Long Term Care Association. Please welcome them.

M^{me} France G  linas: It is my pleasure to introduce Eoin Callan and Christine Miller, both representatives from SEIU; as well as Juan Vasquez. Juan is a hospital worker here in Toronto.

The Speaker (Hon. Steve Peters): On behalf of the member from Etobicoke North and page James Profiti, we'd like to welcome his mother, Cathy Profiti, and his father, Pat Profiti, to the Legislature today. Welcome to Queen's Park.

LEGISLATIVE PAGES

The Speaker (Hon. Steve Peters): As we have a new group of pages, I'd like to take this opportunity to introduce them. I ask the pages to assemble for introduction, please.

I'd like to ask all members to join me in welcoming this group of legislative pages serving in the first session of the 39th Parliament:

Vladislav Bardalez, Don Valley East; Rebecca Bartlett, Haliburton-Kawartha Lakes-Brock; Elliott Brand, Mississauga-Erindale; Rebecca Briell, Ajax-Pickering; Timothy Choi, Bramalea-Gore-Malton; Kira Foreman-Tran, Oakville; Matthew Grossi, Vaughan; Shaan Ali Jessa, Richmond Hill; Emma Johnson, Kitchener Centre; Katelyn Johnstone, Mississauga-Brampton South; Henry Lenz, York-Simcoe; Madeline Lewis, St. Paul's; Nithya Nithiaraj, Scarborough-Rouge River; Jeremy Pag  , Nepean-Carleton; James Profiti, Etobicoke North; Bethany Ricker, Haldimand-Norfolk; Rushabh Shah, York West; Hannah Walters-Vida, Toronto-Danforth; and Jessica Webster, Whitby-Oshawa.

Welcome to Queen's Park. Enjoy your visit.

ORAL QUESTIONS

ELECTRONIC HEALTH INFORMATION

Mr. Tim Hudak: A question for the Premier: When federal Liberals wasted \$100 million on the sponsorship scandal, they called the Gomery inquiry. The McGuinty Liberals wasted a billion dollars on the eHealth boondoggle. Premier, given that, why aren't you calling a public inquiry?

Hon. Dalton McGuinty: With every day, the leader of the official opposition expresses his continuing disappointment with the auditor's work. I don't share that opinion. I have every confidence in the auditor. I thought that my friends supported our invitation to the auditor to accelerate the work he was already doing at eHealth. As I said many times before, we fully accept the findings of the auditor's report. We thought he was nothing less than thorough, as is fully in keeping with his practice, and we adopt every one of the recommendations and we accept every single one of his findings as well.

The Speaker (Hon. Steve Peters): Supplementary.

Mr. Tim Hudak: In fact, we have full confidence in the auditor because he, quite frankly, had the guts to ask the questions that this Premier was afraid to ask of his own cabinet ministers.

Just like Sheila Fraser found with the federal Liberals, Ontario's auditor found that two thirds of the deals handed out by the McGuinty Liberals were sole-sourced, that Management Board meddled with the rules so it could award untendered contracts, that the McGuinty government obstructed the Auditor General's investigation for six months, and that favouritism showed by the McGuinty government influenced who received millions of dollars in untendered contracts.

As we know, the Deputy Premier, Minister Smitherman, is linked to at least three of the four findings. Is the Premier refusing to call an inquiry because he's trying to protect George Smitherman?

1040

Hon. Dalton McGuinty: Again, I just think that what we owe Ontarians on this side of the House is a heavy responsibility to draw what lessons we might from the events that unfolded at eHealth, to accept the auditor's findings and to stay away from political gamesmanship, because there's one particular finding and conclusion reached in the auditor's report that my honourable colleague refuses to accept, notwithstanding how many times I bring it to his attention, as I'll do once again right now.

What the auditor said on page 11 of his report is, "We were aware of the allegations that 'party politics' may have entered into the awarding of contracts and that those awarding the contracts may have obtained a personal benefit from the firms getting the work—but we saw no evidence of this during our work." I think "no evidence" is pretty conclusive.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Tim Hudak: I recommend that the Premier read the Auditor General's report. The findings of the provincial auditor are more damning of Minister Smitherman and the McGuinty government than what Sheila Fraser had to say about Alfonso Gagliano and the federal Liberals. Prime Minister Chr  tien was not mentioned a single time in the federal auditor's report; Premier McGuinty's name appears seven times in the provincial auditor's report. The auditor found that Sarah Kramer was the Premier's hand-picked appointment and that the

Premier set the wheels in motion that resulted in the massive untendered-contract spending spree at eHealth.

I ask, is the Premier refusing to call an inquiry because he is just out to protect himself?

Hon. Dalton McGuinty: Obviously, I'm in my honourable colleague's hands when it comes to pursuing this particular debate and public conversation, but I don't really see it leading anywhere. I think our shared responsibility now is to find a way to move forward to ensure that we put into practice all the recommendations put forward by the auditor, and we undertake to do that.

Beyond that, before we received the auditor's report—it's important that I draw to my colleague's attention once again, as well as to the attention of Ontarians, that we have a new rule in place. If you are a consultant and you want to get a contract with the province of Ontario, you must be part of a competitive bidding process. We think that goes a long way to ensuring that the kinds of practices that were in place admittedly on our watch and also on the watch of the previous two governments are no longer going to be allowed in Ontario.

ELECTRONIC HEALTH INFORMATION

Mr. Tim Hudak: Back to the Premier: All this, sadly, seems to be leading to more stonewalling by Premier McGuinty, who seems more interested in protecting himself or his Deputy Premier than getting answers for taxpayers, who saw \$1 billion go down the drain in this eHealth boondoggle. Of that money, \$837 million happened under Minister Smitherman's watch. That's 78% of what the McGuinty government wasted on this boondoggle under your Deputy Premier, with nothing to show for it for Ontario families across our province.

Why isn't the Premier calling an inquiry into Minister Smitherman's role in this billion-dollar boondoggle?

Hon. Dalton McGuinty: Again, I understand where my colleague is coming from on this score. For him, it's all about politics and it's all about games. I accept that that's the particular perspective on that, but I think we have something greater by way of a duty that we owe to the people of Ontario.

One of the things that we need to keep in mind is what in fact eHealth has succeeded in accomplishing to this point in time. So far, more than four million Ontarians are already participating in the electronic medical records program. More than one million children have an electronic health record and more than 80,000 Ontarians are in a pilot project for ePrescribing, which will help save lives. We've laid an important foundation.

There is more work to be done. We accept that, and we look forward to getting on with that work rather than engaging continuously in these political games.

The Speaker (Hon. Steve Peters): Supplementary.

Mr. Tim Hudak: The Premier may see \$1 billion down the drain as some kind of political game; I see it as an extraordinary betrayal of hard-working taxpayers who put money in and trusted in you to spend it the right way.

Premier, I'm sure you know by now that the man sitting to your right, the Deputy Premier of the province, saw \$837 million wasted during his tenure at the Ministry of Health. That is, to put it in perspective, over eight times more than what Alfonso Gagliano spent on the Liberal-friendly advertising firms in the sponsorship scandal. Minister Smitherman himself referred to the agency before eHealth as a "cesspool," but Minister Smitherman ran that program for five of six years, and he is the one who built that cesspool. Premier, will you call a public inquiry and get to the bottom of this growing scandal?

Hon. Dalton McGuinty: What I find scandalous is the leader of the official opposition continually asserting that activities that took place at eHealth were connected with some kind of party politics, and his refusal to accept the very specific and explicit finding of the auditor. I want to draw to his attention once again his finding: "We were aware of the allegation," undoubtedly coming from the official opposition and others, "that 'party politics' may have entered into the awarding of contracts ... but we saw no evidence of this during our work." Again, I think it's pretty clear, I think it's pretty explicit, and I think we all share responsibility to accept that finding.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Tim Hudak: Premier, as you know, Minister Smitherman remained involved in eHealth even after you shuffled him to the Ministry of Infrastructure. He has kept his fingers in procurements, the diabetes registry and the drug information system. Contracts were handed out to Karli Farrow, his former chief of staff and adviser to you, yourself, Premier. Management Board, upon which Minister Smitherman sits, handed out an untendered contract that by itself alone is one third of what the federal Liberals wasted in the sponsorship scandal.

Premier, there are 837 million reasons to question Minister Smitherman's role in the eHealth scandal. Will you call a public inquiry today?

Hon. Dalton McGuinty: No, I won't. I've said that several times over and I'm not sure I can be any more direct than that.

As in all of these matters, I not only trust the auditor but have a great deal of confidence in the people of Ontario, who ultimately will stand in judgment of all these things. I believe that the people of Ontario have confidence in the auditor's findings; I believe that they accept our commitment to putting in place every single one of his recommendations. I believe that Ontarians want to find a way together to move forward with the foundation on which we've built the beginnings of our structure for eHealth. I think Ontarians want us to move forward. That's what we accept on this side of the House, and that's what we are going to do.

HEALTH CARE

M^{me} France Gélinas: Ma question est pour le premier ministre également. The scandal surrounding eHealth just

keeps going: \$1 billion spent and very little to show for it. We've witnessed top bureaucrats being paid out of hospital budgets, exorbitant expense accounts, and untendered consulting contracts at Cancer Care Ontario. Yet last week my leader, Andrea Horwath, asked the Premier to call in the Auditor General to do spot checks on the Ministry of Health consultant contracts. Tomorrow I will bring a motion forward in the public accounts committee asking the auditor to do just that.

My question to the Premier is simple: Will the Premier assure us that the Liberal members on public accounts will be allowed to support this motion?

Hon. Dalton McGuinty: What I will assure the honourable member and the auditor, of course, is that he has every right, at the time and in the subject matter of his own choosing, to intervene and to conduct an investigation, however thoroughly he might wish to pursue that. That includes, of course, the spot checks being recommended by my colleague. Obviously, we would support any effort on the part of the auditor to conduct any such spot checks wherever he deems it to be appropriate.

The Speaker (Hon. Steve Peters): Supplementary.

M^{me} France G  linas: I take it that means they will vote in favour of my motion. I'm looking forward to that vote tomorrow.

While \$1 billion was wasted, front-line workers have been calling for reinforcements to protect hospital patients from infections. Today in the gallery is Juan Vasquez. Juan is a front-line health care worker in a Toronto hospital just down the street from here.

The Speaker (Hon. Steve Peters): Please make sure it ties into your original question.

1050

M^{me} France G  linas: Yes.

He is worried that the hospitals are failing in the fight against infection and that we are not prepared for H1N1.

How can this government find money for multi-million-dollar consulting contracts but leave our hospitals ill-prepared to protect their patients from the spread of infectious diseases within their own walls? The tie-in is money, Mr. Speaker.

Hon. Dalton McGuinty: As I had the opportunity to say earlier today, and I think in this House yesterday as well, when it comes to hospital budgets, we have in fact increased those by some 42% during the course of the last six years. If we compare that to what has happened with the cost of living, it has gone up by about 11%. We've made some dramatic new investments in our hospital budgets.

We look forward to continuing to find ways to work with the hospital sector and all those good people who serve the public in the delivery of health care services, whether inside the hospital sector or outside. We will find ways, working together, notwithstanding our financial challenges, to continue to inspire confidence in our health care system.

The Speaker (Hon. Steve Peters): Final supplementary?

M^{me} France G  linas: Money, like a billion dollars that goes out the door at eHealth with no improvement in patient care, is not what we want. Fifty hospitals are facing deficits. We all know that the first area a hospital looks at for cuts is housekeeping. The Auditor General's special report has proven that these cuts put patients at risk. Juan is here today because he wants a commitment from the Premier. Will the Premier commit to ensuring our precious health care dollars are spent on improving patient care?

Hon. Dalton McGuinty: We will do everything in our power to ensure that we get good value for taxpayer dollars when it comes to the money we invest in every public program, but especially in health care. I think we have gone a long way to demonstrating the value that we've got in return for those significant new investments in the health care system, whether you're taking a look at the number of new hospitals that are being built; whether it's the older hospitals which are undergoing reconstruction and renovation; whether you're looking at the number of new doctors and nurses who are out there practising and serving Ontario families; whether it's the number of new MRIs and other kinds of technology, treatments and drugs which we've been funding anew. I think we're demonstrating that we are in fact getting good value for the new investments that we continue to make in health care for all our families.

GOVERNMENT CONSULTANTS

Mr. Paul Miller: My question is to the Premier. There's a new lottery in Ontario. It's called Consultant Max and it pays out more than \$1 million a day but you've got to be a consultant to play. I've got right here a freedom of information on some of the things that have been going on which shows that the McGuinty Liberals spent nearly \$400 million on high-priced consultants last year alone. That doesn't include consultant spending at agencies, boards and commissions. Given the eHealth consultant debacle, how does the Premier explain this million-dollar give-away whopper?

Hon. Dalton McGuinty: I don't think it's particularly news that governments and the Ontario government have been availing themselves of the special expertise and services offered by consultants. Governments of all political stripes have been doing that for some time. What I can confirm is that we have reduced the use of consultants by 34% since 2003 when it comes to the amount of money we're investing in consultants.

What we want to do, in keeping with the advice that we received from the auditor's most recent report, is enhance the skill set of people working inside the public service so that we can continue to rely less and less on outside expertise and have that expertise more and more in-house because we have confidence in our public service to be able to do that for us.

The Speaker (Hon. Steve Peters): Supplementary.

Mr. Paul Miller: Each and every day across Ontario we're hearing about cuts to vulnerable kids, to unemployed workers, to community hospitals, all the while

this government blows more than a million bucks a day on consultants. It's simply outrageous. The Ministry of Consumer Services burned through \$100 million on consultants in 2008. The Ministry of Health spent \$89 million.

I ask the Premier again: During these difficult economic times, how can he possibly justify this kind of spending on consultants?

Hon. Dalton McGuinty: Just to restate it, again, we have made some progress. There's more work to be done, but I think the progress we've made is significant. Since 2003, we've reduced the use of consultants by some 34%.

Now, my honourable colleague made reference to cuts—it's become fashionable these days to talk in those terms—but the fact of the matter is, in virtually every single program, we have continued to invest, year over year, more, especially in our most important public services like health care and education. So I would caution my colleague as he talks about cuts to revisit the budget and to see in fact that we continue to invest more money, especially in those public services that our families absolutely have to be able to count on.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Paul Miller: Clearly, the government has lost its way. Vulnerable kids, unemployed workers and seniors are all told to make due with less, while well-connected consultants feast at the McGuinty government trough. When is this Premier going to say enough is enough? When is he finally going to end this government's million-dollar-a-day addiction to consultants and their bloated fees?

Hon. Dalton McGuinty: Again, I think that a 34% reduction in the use of consultants since 2003 is significant progress. Again, I accept the auditor's recommendation, particularly insofar as it related to eHealth, where he said that what you should do is further reduce the use of consultants and see if you can adopt that expertise in-house, and that's something we look forward to doing.

My colleague continues to make reference to the fact of cuts when it comes to vulnerable kids or the unemployed, and in fact that's simply not true. We continue to invest new dollars year over year in enhancing the investments that we make and in the program funding levels for those kinds of programs. We look forward to working with all of our partners now, notwithstanding the fact that we all stare into some pretty challenging financial times.

ELECTRONIC HEALTH INFORMATION

Ms. Lisa MacLeod: My question is to the Premier of Ontario. An auditor's report into the waste of taxpayer dollars by Liberals said, "We are disturbed not only by the widespread circumvention of the competitive ... process ... but also by the fact that this was permitted to occur at all."

This Premier says he accepts the Provincial Auditor's report in its totality, so he should be able to tell us, did this criticism come from Sheila Fraser's report on the sponsorship scandal or did it come from the Provincial Auditor's report on the McGuinty Liberals eHealth scandal?

Hon. Dalton McGuinty: I'm not sure what the point of this question is, and I have not memorized the report word for word, but I can say, as I've said before, that we accept every finding. We will adopt every single recommendation put forward by the auditor. We think it was thorough. We think his response was perfectly appropriate in the circumstances, and that's why we're going to move ahead with all of his recommendations.

The Speaker (Hon. Steve Peters): Supplementary.

Ms. Lisa MacLeod: The Premier remembers one quote in a 48-page document, but the previous quote is from the federal auditor's report on the sponsorship scandal. But the Provincial Auditor said, "Sound and reasonable policies were in place to ensure that all suppliers could compete fairly ... but all too often the rules were not followed."

Which level of government this auditor was criticizing doesn't really matter, and it hasn't really changed. How can one auditor's findings lead to the Gomery inquiry while the other's leads to Premier McGuinty hiding what Minister Smitherman and his McGuinty Liberals have done to hide and waste one billion in taxpayer dollars?

Hon. Dalton McGuinty: It's not too hard to figure out what the opposition is doing—Gomery, the sponsorship scandal, and let's see what we can do to link eHealth into that.

We have an objective third party who's intervened in this matter: the Provincial Auditor. I would encourage my colleague to review that report again and again and again to come to fully understand the advice to be found therein, and to accept, as we do, the recommendations put forward by the auditor, which is why we'll be moving forward on each and every one of those.

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AUTOMOBILE INSURANCE

Mr. Michael Prue: My question is to the Premier. Premier, thanks to the Financial Services Commission of Ontario, many Toronto-area drivers are about to be slammed with double-digit auto insurance hikes. In fact, by the end of this year the average GTA driver is likely to pay nearly 14% more for auto insurance.

When will this government finally stop caving in to every demand of the private auto insurance industry? When will this government draw the line on rate increases and fundamentally rethink a system that every driver and every consumer knows simply does not work?

Hon. Dalton McGuinty: I think it's important to keep in mind exactly what has happened to auto insurance rates in Ontario during the course of the past six years. During the course of the past six years, auto insurance premiums have come down by 2%. Again, if you com-

pare that with what has happened with the cost of living, I think it's rather extraordinary that auto insurance premiums today, on average, are less than they were some six years ago. I think that speaks to the good policies that we've had in place.

Perhaps understandably, cost pressures have been mounting. Insurance companies have gone to FSCO, the Financial Services Commission of Ontario, and applied for rate increases. They've been granted that. Minister Duncan will be moving forward shortly with a new proposal. I'm not sure it's the kind that my honourable colleague has in mind. It is not public auto insurance. It is a new proposal that will deal with, we think, a still better way to ensure that we strike the right balance between affordability and coverage for our drivers.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Michael Prue: The Premier may not like them, but here are the facts. Ten large insurers are being allowed to raise their rates for a second or third time in the last 12 months. Their policyholders will be hit with increases averaging between 11% and 19%. For some Toronto-area drivers, the rate increases could total 30% or more, depending on the age of the driver or the neighbourhood in which they live.

Clearly, the auto insurance system makes no sense and is not working for consumers. Will this government use this crisis to launch a full-scale review of Ontario's badly broken auto insurance system?

Hon. Dalton McGuinty: I want to remind my honourable colleague that when we first earned the privilege of serving Ontarians as their government back in 2003, we immediately froze rates. Their party did not support that. We then put in place new rules that have achieved, after six years, a 2% net reduction in auto insurance premiums. Their party did not support that.

We understand that cost pressures have been mounting. That's why Minister Duncan has, in fact, been consulting. That's why shortly he'll be introducing a new proposal to make sure that we continue to maintain the right balance. We understand that auto insurance premiums are an important pocketbook issue for our families and for our drivers in particular. I want to assure families that we will be introducing a proposal. It's not magic, but we think what we will do is make sure we can find a way to continue to strike the right balance between affordability and protection and accessibility to insurance for all of our families.

GRAPE AND WINE INDUSTRY

Mr. Bruce Crozier: My question is for the Minister of Consumer Services. Like many of my colleagues in this House, I enjoy a glass of wine from time to time, and like many of my colleagues in this Legislature, I enjoy a glass of Ontario wine in particular. But there is some confusion existing around the labelling and the content of wines in Ontario, and in Canada for that matter. That's around the words "cellared in Canada." What that really

means is that that wine can contain up to 70% of foreign-produced grapes.

What I would like to ask the minister is, what are we doing to increase consumer understanding and to encourage the purchase of local—

The Speaker (Hon. Steve Peters): Thank you. Minister?

Hon. Ted McMeekin: My thanks to the honourable member from Essex.

Just last week, my ministry announced key structural changes to the Ontario wine industry in order to lay the groundwork for long-term sustainable growth and increase clarity for Ontario consumers.

I invite you to listen to the words of Mr. Seaton McLean, the proprietor of Closson Chase vineyards and chair of the Price Edward County Winegrowers Association, responding to this announcement in a column in the Hamilton Spec: "The McGuinty government looked at the fork in the road and thankfully chose a better path for Ontario's wine industry." He continues, "The province will now ensure VQA wines (by definition made with 100% Ontario grapes) are prioritized by the LCBO, will increase the levy on blended wines to fund its ... support" of—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Bruce Crozier: I'm going to continue because I'm pleased to hear what we're doing for Vintners Quality Alliance wines in Ontario. Minister, I know that the residents of my riding are very proud of the high-quality VQA wines that are produced in the Erie North Shore region as well as the other regions of Ontario. I know that those 13 wineries in particular in my riding are pleased and ready to produce more and better VQA wines.

Minister, how will your ministry support the continued growth of VQA wines?

Hon. Ted McMeekin: There is a common Latin saying, "in vino veritas," or "in wine there is truth." The Ministry of Consumer Services is committed to ensuring that Ontarians know the truth about the wine they're buying and committed to supporting the continued growth of high-quality Ontario VQA wines.

I want to continue with quoting Mr. McLean, who says, "Under the package of reforms announced last week it's now possible to imagine what the industry can become ... we can now envision a scenario that would allow growers and vintners to plant new varietals, deepen our specializations and experiment with new possibilities...."

"With this announcement, a significant number of greenbelt farmers and their municipal leaders can now focus more of their energy on how to tap into that massive market and grow jobs as well as" good-quality "grapes."

ELECTRONIC HEALTH INFORMATION

Mrs. Christine Elliott: My question is for the Minister of Health. Now that you've been briefed on

your portfolio, Minister, who do you say is more responsible for sole-sourced and untendered contracts to Minister Smitherman's former chief of staff: David Caplan or Minister Smitherman himself?

Hon. Deborah Matthews: Thank you for the question. The Auditor General gave us a very important report. We are, as has been said over and over again in this House, completely committed to implementing every single recommendation he has made.

I'm more interested in moving forward than looking backward. I think that what's important is that we learn from the past but that we continue—moving forward on eHealth is a very high priority for us. The future of our health care system depends on us moving forward when it comes to eHealth.

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Christine Elliott: The Minister of Health must be concerned about the billion dollars the McGuinty government wasted when it should have been going to health care. Minister Matthews must also be concerned about carrying the Deputy Premier's dirty laundry from all the bid-rigging and favouritism Minister Smitherman showered on his former chief of staff. The Premier has made it clear that he'll toss the sitting minister under the bus while giving Minister Smitherman a free ride.

My question is: Will Minister Matthews table her mandate letter today so the Ontario taxpayers can judge the government's plans for getting out of this mess, or will she support our call for a public inquiry?

Hon. Deborah Matthews: My mandate is very clear. My mandate is to continue with the very excellent work that has been done by the two ministers of health that preceded me. I don't think any Minister of Health has accomplished more than Mr. Smitherman and Mr. Caplan.

When it comes to eHealth, I just think it's really important that we look at the truth rather than look at the fiction across the way. We have made big progress on eHealth. As the Premier said, we've now got 80,000 Ontarians on ePrescribing, a very important pilot program. More than four million out of 13 million already have electronic medical records. We've got a million kids now in Ontario with electronic health records. All of our hospitals are now filmless. That is a very big step forward. We're not going to have those old X-ray films that we used to have. We don't have them anymore; everything is digital. That's real progress.

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The drug profile viewer provides—

The Speaker (Hon. Steve Peters): Thank you. New question.

SKILLS TRAINING

Mr. Rosario Marchese: My question is for the Minister of Training. Minister, it's very nice that your ministry is accepting applications for the Second Career program, but surely the minister would never want to leave the impression that any of these unemployed

workers are actually going to be placed any time soon. You rejected qualified applicants for September and October, and now you and the assistant deputy are talking about January intake.

Minister, when is your ministry going to get its act together, and when can unemployed workers expect to have complete access to Second Career?

Hon. John Milloy: I would like to think the fact that our ministry accepted 10,000 applicants in the month of September demonstrates that we've got our act together.

We brought forward the Second Career program 16 months ago with the target of welcoming 20,000 applicants over the course of three years. In the course of 16 months, we have welcomed 21,000 individuals into the program. They are in the process of studying at our community colleges and our private career colleges.

As I've indicated in the House before, we are in the process of reviewing the program and hope to come forward with new guidelines toward the end of November, with an eye on the January target. In the interim, we are still approving applications on a limited basis.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Rosario Marchese: As an example, this would be like a hospital announcing that once they had treated 20,000 patients, they weren't going to treat any more, regardless of the need.

The government claims that the popularity of the Second Career program is "unprecedented," yet you are cutting the program—so popular it is, and so effective, that you are cutting the program.

When your ministry talks about sustainability and realistic expectations, it means that unemployed workers in places like Windsor and Waterloo are not going to have access to the program. These people need help, and they need it now. If we can get another 20,000 who are on EI or are facing welfare into good jobs, paying taxes, why wouldn't we do that as soon as possible?

Hon. John Milloy: I have trouble with the honourable member's logic. The idea that we had a program designed for 20,000 over three years, we accepted 21,000 over 16 months, we continue to accept individuals into the program and are in the process of redesigning it with a commitment to moving forward—I do not see how that equals cuts.

The fact of the matter is, we are continuing Second Career despite the fact that that honourable member and his colleagues stood up in the House week after week, criticized it, mocked it and said it was no good. We did not listen to them. We are proceeding with Second Career, and we have many dozens, hundreds of stories throughout the province of individuals who are receiving training and are in the process of changing their lives.

SCHOOL TRANSPORTATION

Mr. Lou Rinaldi: My question is to the Minister of Education. As we all know, these are challenging economic times. The constituents in my riding of Northumberland—Quinte West want to see value for their

tax dollars. They also want to be sure that student transportation is safe. It is important that we ensure the funds the provincial government provides for student transportation are spent in a way that gives taxpayers value for their money while at the same time offering quality and efficient services.

Minister, I have been reading stories in our local papers and I have heard from local representatives of the Ontario School Bus Association in my community on the issue of student transportation. Our local operators are concerned about planned changes in the procurement of student transportation to move to a request-for-proposal system.

Would the minister tell the House how her plans regarding competition in student transportation will evolve?

Hon. Kathleen O. Wynne: It's a very good question. I appreciate the member for Northumberland—Quinte West, and I especially appreciate his advocacy on behalf of his community and small school bus operators—very important.

When we came into office, we found that procurement for student transportation wasn't what it should have been. There were too many contracts that were being renewed without competition or without any review. So we brought in efficiency reviews; we started a committee on procurement practices that included operators, board officials and ministry officials; last year we ran a request-for-proposals pilot in three boards—we got information from that; and beyond education, the Ministry of Finance introduced broader public service supply chain guidelines which establish that all entities will have to have fair, open and transparent procurement processes.

We're committed to a fair process; we're also committed to working with school bus operators so that small, medium and large operators can have a role to play in the provision of student transportation.

The Speaker (Hon. Steve Peters): Supplementary.

Mr. Lou Rinaldi: Minister, no one wants to experience disruption or reduced quality of student transportation during the transition to the competition basis. Student transportation is an important service on which many Ontario families rely, particularly in rural communities like mine. Parents count on their school bus to pick up the children on time to go to school and bring them home safely at the end of the day.

The local operators I've met with are concerned about too fast a transition to a new model. In my community, these are valuable jobs, especially in this economic climate, and local school bus operators are worried for the future of their businesses and the effect it will have on our communities. They are also concerned about the state of student transportation.

Minister, will you work with the industry to ensure this plan is the best it can be?

Hon. Kathleen O. Wynne: I want to reassure the member and all of the members that I've met with representatives from the Ontario School Bus Association—I've been to their AGMs—and I've met with the

independent operators as well. I appreciate their willingness to work with us to come up with solutions to what are really difficult problems. What I've told them is that we're committed to providing the support and the time that the industry needs to achieve a smooth transition to ensure a continuation of the high level of service and also to introduce competition into the process. The ultimate decisions on which the competitive models will rest will rest with the board. Those decisions will rest with the board, but I have said that we have a complete willingness to support a variety of models. I think that's what the industry has been asking for. I've indicated a willingness to work with any proposals that are competitive in price and fall within the supply chain guidelines. I think that the public appreciates and would support that. We want to see a mix of small, medium and—

The Speaker (Hon. Steve Peters): Thank you. New question.

AUTOMOBILE INSURANCE

Mr. Norm Miller: My question is for the Premier. Premier, small business owners and families are working harder than ever with less to show for it. Now it looks like you're hitting them again because Minister Duncan has been sitting on the auto insurance report for over six months. Insurance companies are preparing to increase rates by up to 30%, which will cost an average family \$200 more. Premier, are you holding your breath and waiting for the scandals to end before taking action?

Hon. Dalton McGuinty: I had the opportunity to speak to this a few moments ago. I think my honourable colleague recognizes that—maybe he's not aware that about 100 submissions have been received from various interested parties; 12 meetings have been held with partners to discuss their submissions. The minister has been meeting with key partners on a number of proposals, and he does intend to introduce a new proposal which we think will help ensure that we continue to strike the right balance between affordability of rates, availability of insurers and the appropriate levels of protection for our drivers.

We're proud of the record that we have in place after six years. The insurance rates are 2% below where they were some six years ago, but obviously there's more work to be done, and Minister Duncan will be speaking to that.

The Speaker (Hon. Steve Peters): Supplementary.

Mr. Norm Miller: Proud of your record? We have the most expensive auto insurance in North America, and you're proud of your record? Give me a break.

Canada's worst government has been so distracted by scandals at OLG, eHealth, WSIB and elsewhere, they are failing to do their basic job. Small businesses and Ontario families are the ones left paying the price. They're facing auto insurance increases of up to 30%. Ontario deserves better. Businesses and families simply do not have the luxury of waiting for the scandals to end for you to get

around to fixing the problem. Premier, when will you act?

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Hon. Dalton McGuinty: I want to take the opportunity to remind my honourable colleague of his government's record. It may have been out of mind. Rates went up 43%—

Interjection.

Hon. Dalton McGuinty: I know my honourable colleague is going to want to hear this. Rates went up 43% in their last three years of office; in our first six years of office, rates have gone down 2%—up 43%, down 2%. When we introduced a proposal here in this House to freeze rates, they voted against that. When we put in place our new law to better manage rates, they voted against that.

We know that there are more difficult times coming. That's why we're going to be moving ahead with a new proposal, and I ask my friend to remain patient until Minister Duncan shortly introduces a new proposal. We look forward to receiving their support at that time.

CHILDREN'S AID SOCIETIES

Mr. Gilles Bisson: My question is to the Minister of Children and Youth Services. Minister, you will know that child and family services agencies were notified in the spring of a reduction in budget as a result of the exercise that you've engaged in to reduce their budgets. Le centre Jeanne Sauvé, which is the child protection agency in the Kapuskasing, Hearst and Smooth Rock Falls area, is seeing an 18% reduction in their budget this year if your plan goes forward. That 18% means they may have to lay off as much as a third of their staff, and, quite frankly, will put them in a position not to be able to deliver the services that they're mandated to deliver under the act.

My question to you is simply this: In light of that 18% reduction that you're handing them, how do you expect them to provide essential services that they have been mandated to do under the act, such as protecting children from harm, abuse and neglect?

Hon. Laurel C. Broten: I'm pleased to have the opportunity to speak about this really important issue. Children's aid societies across the province do some of the most important work and that's why our government has been a government that has invested significantly in children's aid societies. Over 385 million additional dollars have been put forward to children's aid societies since 2003-04, and in this year alone, an additional \$30 million more than their budget last year.

What is different this year is that in light of the economic circumstances across the province, in June of this year, children's aid societies were told that we would not be able to top up their budget at year-end, but that we would be working with them, both on a local basis and an across-the-province basis, to find a sustainable pathway to ensure that children's aid societies can put kids' interests first. That's our first priority. We need to focus

on the outcomes for Ontario's kids, and we're absolutely committed to doing that.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Gilles Bisson: I think the people in the Kapuskasing area and I want to know what class of mathematics you attended, because when they look at their budget, it is not an increase, it is a decrease in budget. They're looking at over \$700,000 that will be eliminated from their budget. They have to deliver these services. This Legislature has passed legislation that says that they are mandated to protect children in this province, and you are, by reducing their budget, putting them in a position that they can't do that.

So I ask you again: Stop with the gobbledegook about your math class that you took 50 years ago and talk about what you're going to do to provide the dollars so that they can match the services that they're required to give.

Hon. Laurel C. Broten: Let me put some real numbers on the table for the member opposite, and let me tell him what is happening across Ontario with the transformation that we have brought forward with respect to children's aid societies. For the children's aid society mentioned, they have received a 35% funding increase, and at the same time, kids in their care are down by 25%.

We need to work at a regional level with children's aid societies, and we are. Regional offices are meeting regularly with them to look at whether they can establish partnerships and how we can better serve Ontario's kids. It's incumbent upon all of us to look for solutions where children's aid societies can prosper in the long term. That's what I'm committed to doing. That's what our commission will be undertaking. We need to look at a modern approach, and all of the kids in Ontario are counting on us to work collectively to do just that.

IMMIGRANTS

Mr. Charles Sousa: My question is to the Minister of Citizenship and Immigration. My riding of Mississauga South is very diverse. We depend on and celebrate the economic and cultural contributions that newcomers make in our community. In fact, every summer, Mississaugans celebrate our diversity with our renowned annual Carassauga Festival of Cultures, which marks its 25th anniversary next year.

Successful businesses now know that hiring newcomers is critical to their operations. Governments and employers share responsibility to ensure that there are policies in place to promote diversity in the workplace. However, labour shortages are anticipated, and within five years, immigration will likely account for most or all of Ontario's net labour force growth. Newcomers are an essential part of our labour force growth, and we need and deserve to have opportunities to put their skills to use and help Ontario and Canada compete globally. We can't wait. Ontario needs to be prepared—

The Speaker (Hon. Steve Peters): Thank you, Minister?

Hon. Michael Chan: I want to thank the member from Mississauga South for the question. Just this Friday,

I had the distinct pleasure of attending the changing workforce diversity forum hosted by the Working Skills Centre, the Toronto Training Board and the Working Women Community Centre. The forum explored ways of overcoming barriers in Canada's workplaces. Discussions were centred on supporting groups such as immigrants, minority groups and persons with disabilities. These discussions put forward ideas and visions that include more inclusive communities and workplaces.

Our government is committed to the same vision: a place where all Ontarians are able to put forth their best. Ontario's future economic and social prosperity relies on our ability to develop a more inclusive society for all Ontarians.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Charles Sousa: As you know, our economy transcends the borders of Ontario. It's truly a global province in nature. Skilled newcomers bring significant expertise to the workplace and make us globally competitive, so this is in all of our interests. We must tap into our highly skilled pool of newcomer talent who are currently underemployed or unemployed. Providing newcomers an inclusive environment in which to succeed is the right thing to do and will lead to an increase in Ontario's productivity. We need to build workplaces that are more diverse and more inclusive. We need to provide supports to new Canadians so that they are able and ready to take on new opportunities.

All of us recognize that better utilizing Ontario's diversity will further our economic goals. Minister, how then is the government supporting and utilizing diversity in the workplace?

Hon. Michael Chan: Diversity is ingrained in the economic, cultural and social fabric of Ontario. Diversity is not about being able to tolerate; it's about being able to embrace and cultivate. Yes, in Ontario we embrace and cultivate, and in return we are fortunate to benefit from the riches that diversity brings to Ontario.

That's exactly what we did in Mississauga. The skills of newcomers were cultivated by AyA Kitchens and Baths in partnership with the Halton District School Board to provide on-site language training specific to their areas of employment.

We are proud to have supported these successful programs for the benefit of newcomers. We are committed to unlocking the riches of diversity by investing in our diverse communities.

CHILDREN'S AID SOCIETIES

Mr. Frank Klees: To the minister responsible for children: 36 out of 51 children's aid societies in the province are facing a funding crisis. The York Region CAS is one of those, but it's even more critical because that agency is already receiving the lowest per-unit funding in the GTA. To make matters worse, it has now been advised that it is facing a \$5.5-million cut to its existing budget. The minister has a letter from the agency

advising her that vulnerable children will be at risk if, in fact, this cut is imposed.

So I ask the minister: How, in good conscience, can she say, as she did yesterday, that the most important resource in this province is our children, and yet defend these cuts? Will she agree to personally intervene to review her ministry's flawed funding formula, and specifically its effect on York region?

Hon. Laurel C. Broten: I do think it is imperative that we look at what has transpired with children's aid societies over the past decade. I'll acknowledge in this place that we have seen an unsustainable level of increases to children's aid societies, from \$500 million 10 years ago to \$1.4 billion now. We need to work with children's aid societies such as the York CAS to ensure that children are put first and that their outcomes are a priority.

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That's why one of the early telephone calls that I made in this role in which I'm privileged to serve was directly to the chair of the board at York CAS. I invited her to continue working with our regional office. Our regional office is currently working with the York CAS to develop a financial plan to address the challenges. They understand, and we understand, that that plan might be one that is multi-year. We all need to work collectively to ensure that we're meeting the goals. There's another meeting—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Frank Klees: When the minister considers that her government wasted more than \$1 billion on scandalous contracts to consultants, one would think that if she does in fact believe, as she said she does, that our children are our most valuable asset, she would challenge her colleagues to prioritize funding for the most vulnerable children in our society.

On the one hand, the minister legislates what services must be provided yet, on the other hand, refuses to fund the delivery of those services. The minister should either ensure that the funding matches the mandate or direct the agency as to which child protection laws they should be breaking and provide the appropriate liability support and protection for the agencies because they cannot deliver the mandated protection services that—

The Speaker (Hon. Steve Peters): Thank you. Minister?

Hon. Laurel C. Broten: The current funding formula was developed in consultation with children's aid societies, and it reflects historical costs with respect to the CASs.

In the York circumstance in particular, I can tell you that the York CAS has received a funding increase in the amount of 34.4% since 2003-04, and 188% since—

Mr. Frank Klees: That is not true.

The Speaker (Hon. Steve Peters): I'd just ask the honourable member from Newmarket to withdraw the comment, please.

Mr. Frank Klees: That is not true.

Interjections.

The Speaker (Hon. Steve Peters): I'd ask the honourable member to withdraw the comment, please.

Mr. Frank Klees: I withdraw, but it's not true.

The Speaker (Hon. Steve Peters): I would ask that the honourable member withdraw the comment, please.

Mr. Frank Klees: I reluctantly withdraw.

The Speaker (Hon. Steve Peters): I would just ask that you withdraw the comment.

Mr. Frank Klees: This is tough—very, very difficult. I withdraw but, Speaker, we have a problem here.

The Speaker (Hon. Steve Peters): I need the honourable member to please stand and say, "I withdraw the comment."

Mr. Frank Klees: I withdraw.

GO TRANSIT

Ms. Cheri DiNovo: My question is to the Minister of Transportation. Since January, GO-Metrolinx's West Toronto Diamond pile-driving project has been subjecting residents near the tracks to deafening noise and vibration. Last week, in condemnation of the pile-driving project, the Canadian Transportation Agency ruled "that the prolonged exposure to the local citizens to the noise and vibration ... is unreasonable given the nature of the area in which the construction is taking place."

Given this condemnation by a federal agency, will the minister now admit that the West Toronto Diamond pile-driving is causing egregious harm to the residents?

Hon. James J. Bradley: I know that Gerard Kennedy, the federal member for the area, raised this matter with that particular body to which you make reference, the Canadian Transportation Agency. Mr. Kennedy has been vociferous in representing his constituents in this particular matter, something I appreciate so very much.

The Speaker (Hon. Steve Peters): Deal with provincial issues, not federal members, please.

Hon. James J. Bradley: Well, she asked a federal question. What you asked is a federal question.

The member for Parkdale-High Park, the member for Davenport and many people have raised this issue. GO Transit has taken many actions which I will deal with in my supplementary to alleviate some of the concerns of the people. There's no question that when you undertake projects of this kind there is disruption to the people in the area, and they have a legitimate beef when they hear all of that noise. They're doing—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Ms. Cheri DiNovo: It was actually the work of the coalition of the West Toronto Diamond pile-driving residents' association that brought this whole issue forward to the Canadian Transportation Agency, so thank you for that—and it is a provincial issue; GO-Metrolinx is a provincial agency. Among other things, the CTA stated that Metrolinx should use significantly quieter vibratory technology, expand on the shrouds already in place and also limit the hours of pile-driving. The CTA also echoed an ongoing complaint that Metrolinx needs

to open the lines of communication between its organization and the residents.

When will you concede that this project has been an unmitigated disaster that has weakened the public image of GO-Metrolinx?

Hon. James J. Bradley: That party gets up time and again and asks for public transit projects. When those projects are built, they aren't built without some disruption. I understand that—the same as when the TTC undertakes its projects. Perhaps you'll want to talk to the TTC.

What they have done already is restricted hours for the piling work; noise shrouds on the pile drivers; alternative types of pile drivers; temporary noise reducing walls; a telephone line; and an e-mail address for residents to contact GO. GO is in the process of reviewing and assessing the CTA's proposed measures and will respond by the October 22 deadline.

I understand that GO has already put in place a number of measures proposed by the CTA, and GO will continue to work with neighbouring communities to minimize the disturbances and complete this important project.

Mr. Norman W. Sterling: On a point of order—

The Speaker (Hon. Steve Peters): I will recognize the honourable member with his point of order following question period.

Mr. Norman W. Sterling: It's important during question period.

The Speaker (Hon. Steve Peters): I would just ask that he raise it—we have one minute left in question period.

Mr. Norman W. Sterling: Mr. Speaker, I want to raise the point of order now because it's relevant to question period.

The Speaker (Hon. Steve Peters): I'm not going to recognize—

Interjections.

The Speaker (Hon. Steve Peters): As the enforcer of those standing orders, over a long period of time and through numerous Speakers within this chamber, we have had an agreement and an understanding that we allow question period to flow and deal with points of order following question period. I'm going to continue with that practice. If there are challenges that want to be made to that, I certainly would invite that that matter be taken up at the Standing Committee on the Legislative Assembly, but I will continue to follow that practice of not recognizing points of order during question period.

The time for question period has ended.

Mr. Frank Klees: On a point of order, Speaker: I realize that I cannot correct the minister's record, but I would ask this: that once the minister of children's services has an opportunity to review the facts regarding the York Region Children's Aid Society funding, she would clarify and correct the record for the House.

The Speaker (Hon. Steve Peters): The honourable member is quite correct that he cannot correct another member's record. I would encourage any honourable member in the House at any time—they have the ability to correct their own record.

USE OF QUESTION PERIOD

Mr. Norman W. Sterling: My point of order is this, Mr. Speaker: You brought the member for Newmarket–Aurora to his feet to withdraw a statement where he said it was not true. Earlier in question period, the Premier said in a response that what one of our members alleged in their question was not true. Why was he not required to withdraw, as the member for Newmarket–Aurora was?

The Speaker (Hon. Steve Peters): I thank the honourable member for the comment. It was not the Premier's answer, but there was another member who answered a question, and I heard some comments from the opposition side. The way that I heard that answer—it was in the context of the use of that word. We've had discussions in this House, but I will undertake, to the honourable member, to review Hansard. But often, words used in a certain context at times are either parliamentary or not parliamentary. In the context I heard, I allowed the debate to continue.

The Minister of Transport on a point of order.

Hon. James J. Bradley: Mr. Speaker, what you have in essence done by allowing my good friend Norm Sterling, whose riding is Carleton–Mississippi Mills, I believe, to rise during question period is in effect cut off a question for the next party in line. That is something that you have been trying to avoid, or that all members of the House have been trying to avoid: People getting up and—I know it wasn't his particular concern in this case; I know he wasn't trying to do that. But what that does is it allows for people to get up in the House to prevent further questions from being asked simply by asking to consider points of order during question period. I think that in those terms the next party to ask a question should be permitted to do so.

The Speaker (Hon. Steve Peters): Again, I'll remind all honourable members—and I would welcome the opportunity for this discussion to take place at the House leaders' meeting—it has been the practice within this chamber, and not just within this chamber but certainly within the House of Commons as well, that points of order are not accepted by the Speaker during question period. They are always accepted afterward. It is a sheer coincidence of the timing when the honourable member rose, and I chose, because—had it been the government that had risen, I would have stopped the clock, but because it was the opposition I do allow the clock to continue to run in that circumstance. I hear the honourable member, but the time for question period has ended.

This House stands recessed until 3 p.m. this afternoon.

The House recessed from 1141 to 1500.

INTRODUCTION OF VISITORS

Mr. Peter Tabuns: It's my pleasure to introduce Councillor Maria Augimeri from the city of Toronto.

The Speaker (Hon. Steve Peters): Welcome, Maria, and regards to your husband, a former member, too.

MEMBERS' STATEMENTS

ASSISTANCE TO FARMERS

Mr. Ernie Hardeman: Last week, Tim Hudak, the leader of the Ontario PC Party, and I had the privilege of meeting with Brenda Lammens, chair of the fruit and vegetable growers', and Len Troup, chair of the tender fruit producers' marketing board. I know that Tim Hudak has been a advocate for the farmers of his area, including the tender fruit sector, for many years, and I appreciated the opportunity to join him in Niagara for the meeting.

What we heard from both the tender fruit marketing board and the fruit and vegetable growers was disturbing. Horticulture farmers are facing big increases in input costs and they are struggling. Some of the costs are directly related to this government, but when they try to talk about solutions, it seems that no one on the government side is listening. The minister who should be fighting for the farmers is more focused on keeping the Premier and her cabinet friends happy than helping the farmers succeed.

The industries have brought forward a proposal for a risk management program for horticulture farmers similar to the one that is in place for the grain and oilseed farmers. This program would be funded, in part, by insurance premiums from the farmers and would ensure that when they are in trouble, there's support available. It is a proposal that this government should be considering. Current programs aren't working for horticulture farmers and the current government refuses to listen.

I thank them for meeting with us and assure them that Tim Hudak and I are listening, even if Dalton McGuinty is not.

BAMCO CUSTOM WOODWORKING

Mrs. Liz Sandals: Last week, Minister Papatello visited Guelph to announce that our government will be investing in a local manufacturer: Bamco Custom Woodworking. Under the advanced manufacturing investment strategy, Bamco will receive an interest-free loan of \$2.77 million which will support Bamco's investment of \$9.25 million over the next five years. This investment will be used to invest in robotic finishing equipment which will reduce production times by 75%.

Bamco will become the first manufacturer in North America to offer an environmentally friendly finishing process using water-based stains and lacquers. The new process will eliminate the use of oil-based stains and lacquers, which contain volatile organic compounds that can damage the environment. Not only will this project help the environment, it will also create 72 new jobs at the company in Guelph and protect 13 existing positions. One of the strengths of this project is Bamco's commitment to using Ontario-based suppliers to purchase all their wood, doors and a variety of hardware.

As we all know, the manufacturing sector has been one of the hardest hit in our economy, and we've experi-

enced our share of job losses in Guelph. That is why I am proud to be part of a government that is investing in a Guelph company and creating jobs.

R. PETER HEFFERING

Mr. John O'Toole: I am pleased to rise and pay tribute to R. Peter Heffering, who has been named to the Canadian Agricultural Hall of Fame. Peter Heffering's success as a breeder of Holsteins and standardbred horses has earned him the admiration and respect of farmers around the world. His Hanover Hill Farm, near Port Perry, bred Hanoverhill Starbuck, the world's most famous Holstein bull.

At the time of Hanoverhill Starbuck's death in 1998, it was estimated he had sired 200,000 offspring over five continents.

Established in 1973, Hanover Hill Holsteins achieved multiple premier exhibitor and premier breeder honours at the Royal Agricultural Winter Fair. Also, Peter's Heffering's Tara Hills stud farm has also achieved a remarkable record. Tara Hills standardbreds have won some of the most prestigious race events in the sport itself, including several "horse of the year" titles. Peter Heffering was inducted into the Canadian Horse Racing Hall of Fame in 2004.

R. Peter Heffering is an outstanding leader in two agricultural industries and is a worthy addition to the Canadian Agricultural Hall of Fame. There will be a ceremony at the Royal Agricultural Winter Fair on November 8, 2009. I would encourage everyone to recognize R. Peter Heffering and his work in agriculture.

ORLEANS Y

Mr. Phil McNeely: Last month, the province announced that it would be providing a portion of the funding to expand the Orleans YMCA as part of the Recreational Infrastructure Canada program. This funding is key to moving the project forward, a project that will improve the lives of a large number of residents in my community. It is also a clear indication of the province's ongoing commitment to the health, welfare and physical well-being of our citizens. An expanded YMCA/YWCA in Orleans will be able to provide services to as many as 15,000 new members. The new facilities and the additional programming will be of great benefit to our youth, families and especially seniors.

The YMCA/YWCA is a charitable organization with a well-earned reputation for providing services aimed at building a healthy mind, spirit and body. Through the construction of a new pool and additional space using the funds provided by the provincial government, the Orleans Y will be able to serve an even greater proportion of our community.

I want to acknowledge the enormous amount of work done by Tony Pacheco, president and CEO of the National Capital Region YMCA/YWCA, and his team on their successful application for rink funding. My sincere

thanks to the Minister of Energy and Infrastructure and Premier McGuinty for their vision and support in this matter.

GROVES MEMORIAL COMMUNITY HOSPITAL

Mr. Ted Arnott: As you know, I've repeatedly stood in this House to call attention to the need for a new Groves Memorial Community Hospital in Centre Wellington. On many occasions during the past six years, I have urged the McGuinty Liberal government to recognize our future need for a new Groves, to give us the go-ahead and support to proceed with detailed planning for the new hospital our community deserves, to stop creating new processes and bureaucratic roadblocks which only create disappointment and cynicism in communities across Ontario where there are some 70 hospital projects in waiting, and to give us a firm commitment as to when our new hospital will be built.

During constituency week I dropped in to visit Groves and learned that the hospital officials have written the Waterloo-Wellington LHIN asking for approval of the business case for the new hospital and the planning grant that goes with it. The hospital has established and demonstrated our need. Our community is behind it. Our hospital foundation has raised its share. The LHIN has all the requisite information.

I'm privileged to represent Centre Wellington in this House. Time and time again I have pushed this government to do the right thing. I say to the new Minister of Health: Come to Centre Wellington and see for yourself the special place that is Groves, then stand with us as we build the hospital we need in this 21st century.

TORONTO ANTI-VIOLENCE INTERVENTION STRATEGY

Mrs. Laura Albanese: Students, teachers, police officers, TAVIS officers, members of the Toronto District School Board, local organizations and community leaders came together under one roof at York Memorial Collegiate Institute to thank TAVIS for the work they have done throughout the summer in York South-Weston.

This occasion brought an energetic anti-violence message through the use of theatre arts, beat-box performers and the spoken word. Many people who did positive work in York South-Weston in support of the Keele-Eglinton TAVIS initiative were present, and their efforts were recognized.

The TAVIS initiative in York South-Weston has worked in reducing criminal activity. The data indicates an overwhelming reduction in homicides and shootings. For this, I thank the TAVIS officers who patrolled our streets throughout the summer and the officers who will continue to protect TAVIS areas for a prolonged period of time, because the Toronto anti-violence intervention strategy is not only about police efforts, but includes the

co-operation of community members and organizations communicating and working together towards a common goal—community safety. We must not forget the contribution of community groups and residents in facilitating the officers' task.

1510

I am proud of this initiative that was funded by the provincial government and administered through the Toronto police. This is an important project because it confirms that when police and community members work together, neighbourhood safety is really possible.

AFTER-SCHOOL PROGRAMS

Mr. Khalil Ramal: I rise in the House today to share some good news from the city of London. Last week, my colleague Chris Bentley and I gathered with a large number of service providers, students and community members to announce funding for our government's after-school program, which means 400 kids in London will have a healthy, active and safe place to spend their hours after school. The staff and students at Arthur Stringer welcomed everyone to share the important celebration with them. Also, Arthur Stringer is the host of one of those programs.

The students at Arthur Stringer are an enthusiastic bunch, and they wanted me to tell you that they attend the very best school in the whole province. The service providers are enthusiastic about the program too, in part because it gives them a chance to implement a program that meets specific community needs. Good things happen in the city of London on a regular basis.

Also, I got the chance to speak with some providers. They told me this program means a happy day for many students across the city of London because they get the chance to spend good quality time with their friends and also to do meaningful things and learn from other students.

Again, Mr. Speaker, thank you for allowing me to stand up and speak about the good news happening in the city of London, which I appreciate the government assisting our city and our students with.

CREDIT UNIONS AND CAISSES POPULAIRES

M^{me} France Gélinas: Last Thursday, October 15, marked International Credit Union Day. Credit unions started in the 1850s in Europe to give ordinary people the opportunity to borrow from savings pooled by themselves and their fellow members. Back then, the banks were not in the business of lending to workers, and workers had to resort to private lenders who charged huge interest rates.

In Canada, the first caisse populaire was created in Lévis, Quebec, in 1900, by Alphonse Desjardins. In 1908, the first financial co-operative in Ontario, the Civil Service Savings and Loan Society, was formed in Ottawa. After the Second World War, hundreds of credit

unions sprang up across Ontario, primarily in the union movement, in trades associations and in ethnic communities.

In northern Ontario, credit unions and caisses populaires serve communities too small or too remote for banks to be bothered serving us. Credit unions and caisses populaires are a big part of the economy, the history and the culture of Sudbury and Nickel Belt.

J'aimerais souligner quelques caisses populaires dans mon comté, telles que les caisses populaires d'Azilda, de Coniston, d'Alban, de Val Caron, la Caisse Populaire St-Jacques, et Vermillon. La semaine dernière, les Caisses populaires Desjardins de ma région ont annoncé un don de 50 000 \$ envers la Villa St-Gabriel, une nouvelle maison de soins infirmiers, et ce n'est qu'un exemple.

Credit unions' profits stay with the people. After all, they are owned by their members.

PETERBOROUGH MUNICIPAL AIRPORT

Mr. Jeff Leal: On Friday, October 16, 2009, I was joined by my esteemed colleague from Haliburton-Kawartha Lakes-Brock, MPP Rick Johnson, Deputy Mayor Henry Clarke, Mr. John Gillespie of Flying Colours, Mr. Andy Mitchell of the Greater Peterborough Area Economic Development Corp., MPs Dean DelMastro and Barry Devolin, as well as other dignitaries, to participate in an important announcement that will have a positive impact on our communities for years to come.

We had the distinct pleasure of announcing the funding of some \$21 million from the infrastructure stimulus fund. Peterborough will now be in a position to develop a more comprehensive aviation industrial park, an aerospace cluster, at the Peterborough airport. This airside development program includes apron expansion, development of the general aviation areas, construction of a new central apron and air terminal building, and groundside commercial development.

This was a historic infrastructure investment for Peterborough airport. With this investment, we are creating jobs now that will help stimulate our local economy and will create a competitive advantage that will attract businesses and strengthen Ontario's economy in the future.

I want to congratulate everyone who contributed to the development and approval of this project, and I want to recognize the Premier and the Honourable George Smitherman for their commitment to our communities.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon. Steve Peters): I beg to inform the House that today the Clerk received the October 20, 2009, report of the Standing Committee on Government

Agencies. Pursuant to standing order 108(f)9, the report is deemed to be adopted by the House.

Report deemed adopted.

COMITÉ PERMANENT
DE LA POLITIQUE SOCIALE
STANDING COMMITTEE ON
SOCIAL POLICY

M. Shafiq Qaadri: Je demande la permission de déposer un rapport du Comité permanent de la politique sociale et je propose son adoption.

I beg leave to present a report from the Standing Committee on Social Policy and move its adoption and send it to you by way of page Matthew.

The Clerk-at-the-Table (Ms. Lisa Freedman): Your committee begs to report the following bill as amended:

Bill 179, An Act to amend various Acts related to regulated health professions and certain other Acts /
Projet de loi 179, Loi modifiant diverses lois en ce qui concerne les professions de la santé réglementées et d'autres lois.

The Speaker (Hon. Steve Peters): Shall the report be received and adopted? Agreed? Agreed.

Report adopted.

The Speaker (Hon. Steve Peters): The bill is therefore ordered for third reading.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

The Speaker (Hon. Steve Peters): The Minister of Government Services.

Hon. Ted McMeekin: Consumer Services. It's okay. It was mistaken earlier in the day when referenced to some expenditure as well, so that's okay.

I seek unanimous consent to put forward a motion without notice regarding private members' public business.

The Speaker (Hon. Steve Peters): Agreed?

All those in favour will say "aye."

All those opposed will say "nay."

The ayes have it.

The Minister of Consumer Services.

Hon. Ted McMeekin: I move that notwithstanding standing order 98(g), notice for ballot item 42 be waived.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

Motion agreed to.

STATEMENTS BY THE MINISTRY
AND RESPONSES

CITIZENSHIP WEEK

Hon. Michael Chan: I am proud today to stand in this House to recognize Citizenship Week in Canada. As

Minister of Citizenship and Immigration, I have the honour of taking part in citizenship ceremonies for new Canadians. This year I attended a ceremony here at Queen's Park as part of the Canada Day celebration. I witnessed the swearing-in of 30 new Canadians: 30 individuals representing 20 families from 19 different countries. I watched as they pledged the Canadian citizenship oath and promised to fulfill their responsibilities as citizens.

It is such a good feeling to be sworn in as a Canadian citizen. It is a feeling that continues to stay with me throughout the years. It is a declaration of commitment to Canada that comes from the heart.

Ontario has a long tradition of welcoming newcomers from all over the world. We are talking about people from more than 200 countries who have enriched our province with their contributions and their culture. To gain citizenship, newcomers must be able to answer questions about Canada, questions such as, which provinces formed Confederation and when did the Canadian Charter of Rights and Freedoms become part of the Constitution?

This reinforces one message: We must understand our country's past in order to contribute to its future. Our government knows that to contribute to the future, newcomers must be able to put their skills to work—newcomers like Sanjay Lekhi, who immigrated to Canada from India in the year 2000 with a pharmacy diploma in hand. Sanjay wanted to work in his profession and eventually registered in the pharmacy bridge training program for internationally educated pharmacists. Since completing the program, he has been able to work full-time as a pharmacist.

When newcomers like Sanjay find a job in their field, they feel a sense of belonging, a sense that they truly belong to their new home. They form an attachment to this country, a connection that never, never goes away.

This week, I invite all members to reflect on how far we have come as a nation since 1947, when only 26 citizenship certificates were presented in the very first citizenship ceremony. Let us remind ourselves of the privilege it is to become Canadian citizens. And as Ontarians, let's keep in mind not just what we have to gain but what we must offer to this great province.

1520

Citizenship is a lasting bond with our nation. It bonds us to each other and to our shared commitment to be a stronger Ontario and a stronger Canada.

The Speaker (Hon. Steve Peters): Responses? The member from Leeds–Grenville.

Interjections.

The Speaker (Hon. Steve Peters): The member from Thornhill.

Mr. Peter Shurman: I'm sorry, Speaker, for the confusion. The critic on this particular portfolio is new at the job. His name is Tim Hudak, and he's the leader of our party.

It's a pleasure to rise in the House this afternoon and speak on the occasion of Citizenship Week on behalf our

leader, Tim Hudak, and the Ontario PC caucus. It's a portfolio that I know reasonably well. It's one that I held for the last year and a half.

I am a second-generation Canadian citizen myself. In Canada, we were the first in the Commonwealth to be able to claim national citizenship when, in 1947, the federal government passed the Canadian Citizenship Act. My father obtained his own citizenship around that time, and obviously we are all descended from immigrants if not indeed immigrants ourselves.

Today we are celebrating the 62nd year of that act, and this celebration gives all Canadians the opportunity to reflect on what it means to be a citizen of Canada, to recognize the value of Canadian citizenship, and welcome new Canadians into our communities. Canadian citizenship means much more than a declaration at the border. Canadian citizenship means that we share in common with each other values such as equality, respect for cultural differences, freedom, peace, law and order.

In my own riding of Thornhill, we count approximately 150 different cultural groups and languages as part of the 150,000 people who make up that riding, and there is no place, arguably, in Canada, much less Ontario, that we don't see that first-hand every day.

The gift of our citizenship is the opportunity we each have to build a Canadian society that is more inclusive, democratic and caring—and build we have.

Since the first proclamation of the Canadian Citizenship Act in 1947, 6.5 million people have been granted Canadian citizenship. A remarkable 85% of eligible new Canadians become Canadian citizens, and the vast majority choose not only to live in Canada but to participate as Canadians. In Ontario, we are fortunate that almost 50% of those new Canadians have made this province their home, and their contribution to this province is remarkable.

We have recently celebrated Diwali and Eid, amongst the many festivals that occur around the world. But as the prayers were said in languages that are new to Canada, Canadian citizens went home those days to participate in their own communities and to strengthen the framework of this province.

The quality of life in Ontario and the health of our communities require the dedication and commitment of those who choose Ontario as their home. The richness of our diversity is woven into the framework of this province. The contributions are clearly evident in business, the professions and the arts. It is through volunteering, engaging in the political process and involvement in the lives of the more vulnerable in our society that we are all enriched.

It's an interesting thing to note, in listening to the minister's words, that over the past couple of years we have had occasion to participate together and, in this particular portfolio, across party lines to recognize contributions of citizenship in our communities.

I would at this point recognize some of those who will probably present themselves for those recognitions this year in my own riding, particularly in the municipality of

Vaughan, where we had some devastating tornadoes this past summer and where normal people did extraordinary things.

Citizenship Week celebrates the transition through immigration from new Canadian to Canadian citizen, and through this process, we are all equal. We are bound by our commitment to Canada and to Ontario.

Today is a reminder to all Canadians—those born in Canada and those who choose to become Canadian citizens—that we have a common bond, a right protected, and that we should be very proud to be called Canadian citizens.

Ms. Cheri DiNovo: It's an honour and a privilege to stand on behalf of the New Democratic Party and our leader, Andrea Horwath, on national Citizenship Week and respond to the minister's statement.

I know my colleague has meant well, in all meanings of that word, in terms of new citizens and what they've been through—and he should know; he is one.

Unfortunately, from the New Democratic Party perspective, things aren't quite as rosy for new immigrants. There was a landmark study called the Colour of Poverty that outlined exactly the state of new immigrants and new citizens in the province, and it's not good; in fact, it's very grim.

Certainly new immigrants make up the bulk of those making minimum wage, and as the government will know, we have asked for a minimum wage that will set them above the poverty line at \$10.25. That's not yet in place, unfortunately, and therefore many new immigrants sometimes work two or three jobs a week, in poverty, because that law has not been enacted yet.

Second of all, we know that new immigrants make up the bulk of the homeless and the precariously housed, and we know that as of a study that was released in the Toronto Star today. So, again, what we ask this government to do, if their accolades for new citizens are to be truly meaningful, is to build new housing, provide new housing. Unfortunately, the housing budget has been cut year after year.

In terms of health care professionals and new internationally trained professionals and their hopes of securing something in their profession, unfortunately—although I appreciated the story told by my colleague—I have a number of stories from my riding of doctors and surgeons who have to return to their homelands because it would take an average of 10 years to be accredited here as a health care professional. This is in a province where we're screaming about the shortage of doctors, where many Ontarians don't have a doctor and would certainly benefit from those who are trained in other countries. It's not happening; I wish it were. Again, we've done forums in our riding about this.

Parkdale-High Park, as many of you know, is one of the most multicultural ridings in all of Ontario. In fact, there are over 165 mother tongues spoken at Parkdale high school in my riding. I know that's an exemplary place.

Currently, the major group that is inhabiting south Parkdale in an area we call the landing strip on Jameson, which is where new refugees and immigrants come, is Tibetan. Just this morning, I passed a note over to my colleague Mr. Tony Ruprecht, who tends to preside over the flag-raising here at Queen's Park, and I asked him if he would preside over the flag-raising of the Tibetan people here at Queen's Park. They would love to see such a day and would love to be acknowledged, a growing number—in fact, the largest number of Tibetans outside of Nepal—in Toronto right now, unacknowledged by this forum.

Certainly, in terms of Citizenship Week and the New Democratic Party and our place in this province, we'd say, absolutely, we welcome new citizens; we celebrate new citizens. But these are empty and hollow words unless we do something for new citizens.

That's what we call upon the majority Liberal McGuinty government to do: something for new citizens; not just awards, not just recognition, not just empty words, but actual real legislation. Housing, a minimum wage you can live on, and access to professions—not just health care, but all professions—again, many closed to new immigrants by virtue of how long it takes to get past the gatekeepers. So we need lots of work and not just empty promises.

And yes, I share with my colleagues the fact that we are all immigrants here. I know I share with Maria Augimeri, our councillor in this place—coming from Italian descendants. My ancestors came from Sicily, in fact, because there was no food and they were starving. So many of our refugees and immigrants come to this country looking for that which they could not get at home—freedom, entrance to professions, housing, a decent-paying job—and it's up to us to guarantee that they get it.

So I ask the government—I certainly know that it's not up to my colleague across the way individually; it is up to the cabinet, however, and it is up to the Premier—to do something about it, to change the face of poverty, which is now, as that landmark study said, a face of colour.

PETITIONS

TAXATION

Mr. Bill Murdoch: I appreciate the chance to speak on this petition. It's to the Legislative Assembly of Ontario.

"Whereas residents in Bruce-Grey-Owen Sound do not want a provincial harmonized sales tax (HST) that will raise the cost of goods and services they use every day; and

"Whereas the 13% blended sales tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to house sales over \$400,000; and

"Whereas the 13% blended sales tax will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

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"Whereas the blended sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario consumers."

I've signed this and will give it to James and he will deliver it.

DIAGNOSTIC SERVICES

M^{me} France Gélinas: I have this petition from the good people of Timiskaming-Cochrane asking for a PET scanner.

"Whereas the Ontario government is making ... PET scanning a publicly insured health service available to cancer and cardiac patients...; and

"Whereas by October 2009 ... PET scans will be performed in Ottawa, London, Toronto, Hamilton and Thunder Bay; and

"Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine;

"We ... petition the Legislative Assembly of Ontario to make PET scans available through the Sudbury Regional Hospital, thereby serving and providing equitable access to the citizens of northeastern Ontario."

I fully support this petition and I will affix my name to it and send it to the clerks' table with page Matthew.

TOM LONGBOAT

Mr. Jim Brownell: I have a petition in support of the Tom Longboat Day Act. I would certainly like to thank Sheila and Wendell Lefave of Williamstown, Ontario, who organize every year the Great Raisin River Footrace honouring Tom Longboat. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Tom Longboat is one of Canada's greatest long-distance runners; and

"Whereas Tom Longboat is a great role model for all Canadians;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass the Tom Longboat Day Act into law so that we can honour this remarkable athlete and courageous Canadian, who is a great role model for all Canadians."

As I agree with this petition, I shall sign it and send it to the clerks' table.

HOSPITAL SERVICES

Mr. Ted Chudleigh: I'm pleased to read a petition to the Legislative Assembly of Ontario regarding the new Milton hospital, signed by over 10,000 names.

"Whereas the town of Milton is the fastest-growing community in Canada, with a population that is expected to surpass 100,000 by 2014; and

"Whereas the Milton District Hospital is designed to serve a population of 30,000; and

"Whereas young families, seniors and all residents of Milton are currently unable to access quick and reliable health care services; and

"Whereas the excellent doctors and nurses at Milton District Hospital are constrained by unacceptable conditions and a lack of resources;

"We, the undersigned, petition the government of Ontario to immediately approve and initiate the process to expand Milton District Hospital and to provide adequate interim measures to prevent further suffering for the people of Milton."

I'm pleased to sign my name to this and pass it to page Shaan Ali.

JUSTICE SYSTEM

Mr. Tony Ruprecht: I've received a number of petitions from the Save Our Children organization. The petition is addressed to the Parliament of Ontario and the Attorney General. It reads as follows:

"Whereas the Canadian Judicial Council has been asked by Ontario's Attorney General to probe the judicial behaviour of judges; and

"Whereas judges are human beings and have been known to make serious mistakes in the judicial system, leading to devastating consequences and unfair justice for Canadian citizens; and

"Whereas some judges ... have fallen asleep in the midst of a trial...; and

"Whereas some judges have been observed making biased, disrespectful comments and abusing their judicial powers; and

"Whereas Canadian families need to be protected from these judges who are unable to change their habits, unable to follow the rule of proper conduct and unable to exercise recommendations set by the Court of Appeal, and consequently commit grave injustices;

"Therefore we, the undersigned citizens, are strongly requesting the following changes in our judicial system:

"(1) That a 'judicial demerit point system' be applied to ensure that judges are accountable for their judgments rendered; and

"(2) That a yearly review of their performance be established" by the Canadian Judicial Council.

I am signing this petition and I am delighted to send it with Madeline.

TAXATION

Mr. John O'Toole: I'll try to be as quick as possible.

"Whereas Premier Dalton McGuinty is increasing taxes yet again with his new 13% combined sales tax, at a time when families and businesses can least afford it;

"Whereas by 2010, Dalton McGuinty's new tax will increase the cost of goods and services that families and businesses buy and use every day. A few examples include: condo fees; coffee, newspapers and magazines; gas for the car, home heating oil and electricity; haircuts, dry cleaning and personal grooming; home renovations and home services; veterinary care and pet care; legal services"—the list goes on—"the sale of resale homes," and, finally, funeral services;

"Whereas Dalton McGuinty promised he wouldn't raise taxes in the 2003 election. However, in 2004, he brought in the health tax, which costs upwards of \$600 to \$900 per individual. And now he is raising our taxes again;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government wake up to Ontario's current economic reality and stop raising taxes on Ontario's hard-working families and businesses."

I'm pleased to sign and support this and hand it to Henry, the page.

TAXATION

M^{me} France Gélinas: I have this petition signed by 100 people from throughout Ontario, from Windsor to Cornwall to Foleyet to Thunder Bay, and it goes as follows:

"Petition to the Legislative Assembly of Ontario:

"Be it resolved, I am opposed to Dalton McGuinty's 8% sales tax grab and call on the Parliament of Ontario to cancel its plan to introduce a harmonized sales tax on July 1, 2010."

It's short, simple and easy to understand. I fully support it, will affix my name to it, and send it to the table with page Matthew.

CEMETERIES

Mr. Jim Brownell: I have a petition signed by a number of members of the North York Historical Society, and it reads as follows:

"A petition to the Legislative Assembly of Ontario:

"Whereas Ontario's cemeteries are an important part of our cultural heritage, and Ontario's inactive cemeteries are constantly at risk of closure and removal; and

"Ontario's cemeteries are an irreplaceable part of the province's cultural heritage;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government must pass Bill 149, the Inactive Cemeteries Protection Act, 2009, to prohibit the re-

location of inactive cemeteries in the province of Ontario.”

As I agree with this petition, I shall sign it and send it to the clerks’ table.

TAXATION

Mr. Bill Murdoch: I have yet another petition to the Legislative Assembly of Ontario, and it is the same as the last one:

“Whereas the residents of Bruce–Grey–Owen Sound do not want a provincial harmonized sales tax that will raise the cost of goods and services they use every day; and

“Whereas the 13% blended sales tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to house sales over \$400,000; and

“Whereas the 13% blended sales tax will cause everyone to pay more for meals under \$4, haircuts, funeral services”—unless you book them ahead of time, I guess; I’ve heard that—“gym memberships, newspapers, and lawyer and accountant fees; and

“Whereas the blended sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

“Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the McGuinty Liberal government not increase taxes for Ontario consumers.”

I’ve signed this and send it with Kira.

FIREARMS CONTROL

Mr. Tony Ruprecht: I have a petition that concerns the Unlawful Firearms in Vehicles Act. It’s a petition to the Parliament of Ontario, and it reads as follows:

“Whereas the growing number of unlawful firearms in motor vehicles is threatening innocent citizens and our police officers;

“Whereas police officers, military personnel and lawfully licensed persons are the only people allowed to possess firearms; and

“Whereas a growing number of unlawful firearms are transported, smuggled and being found in motor vehicles; and

“Whereas impounding motor vehicles and suspending driver’s licences of persons possessing unlawful firearms would aid the police in their efforts to make our streets safer;

“We, the undersigned citizens, strongly request and petition the Legislative Assembly of Ontario to pass Bill 56, entitled the Unlawful Firearms in Vehicles Act, 2008, into law, so that we can reduce the number of crimes involving unlawful firearms in our communities.”

Since I agree with this petition, I’m delighted to sign it.

TAXATION

Mr. Ted Chudleigh: I have a petition to the Legislative Assembly of Ontario:

“Whereas the residents of Ontario do not want a provincial harmonized sales tax (HST) that will raise the cost of goods and services they use every day; and

“Whereas the 13% blended sales tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to house sales over \$400,000; and

“Whereas the 13% blended sales tax will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

“Whereas the blended sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the McGuinty Liberal government not increase taxes for Ontario consumers.”

I agree with this petition, am pleased to sign it and give it to my page, Hannah.

1540

CEMETERIES

Mr. Jim Brownell: I have a petition signed by a number of Ontarians from Unionville, and it reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas protecting and preserving Ontario’s cemeteries is a shared responsibility and the foundation of a civilized society; and

“Whereas failure to safeguard one of our last remaining authentic cultural heritage resources, Ontario’s inactive cemeteries, would be disastrous for the continuity of the historical record and our collective culture in this province;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“The government must pass Bill 149, the Inactive Cemeteries Protection Act, 2009, to prohibit the relocation of inactive cemeteries in the province of Ontario.”

As I agree with the petition, I shall sign it and send it to the clerks’ table.

PENSION PLANS

Mr. John O’Toole: I’ll take this time to present a present a petition on behalf of my constituents. It reads as follows:

“Whereas General Motors has contributed significantly to the Ontario economy over many years and has contributed “to the pension benefits guarantee fund (PBGF); and

"Whereas the General Motors of Canada salaried" employee "pension plan fund (plan 0340950) is severely underfunded due to the government's lack of responsibility in allowing policies (regulation 5.1, 'too big to fail' legislation) which permitted GM to underfund the pension; and

"Whereas GM is experiencing severe financial problems and there is a potential"—or was a potential—"for bankruptcy; and

"Whereas, unlike stakeholders such as vendors and suppliers that accept the risks associated with business, GM retirees and surviving spouses entered into their GM pension plans in good faith, based on the understanding that the funds set aside on their behalf would be secure; and

"Whereas GM salaried retirees contributed a percentage of their annual income to pension plan 0340950 and were permitted only limited contributions to RRSPs due to the federal government's CRA, discriminatory RRSP restrictions for defined benefits pension plan members;

"Therefore we, the undersigned, support the GenMo salaried pension organization in petitioning the Legislative Assembly of Ontario to honour its commitment to totally fund the pension benefits guarantee fund; and

"That, in any approved restructuring plan of General Motors of Canada, provision be made that General Motors fully fund pension plan 0340950, and that General Motors continue to provide lifetime benefits to retirees and surviving spouses in accordance with employment entitlements and retirement agreements...."

I can draw to your attention that this now is being suspicious. All publications, last week, by this company are failing to commit to their obligations.

I'm pleased to sign this petition on behalf of these people.

RAIL LINE CONSTRUCTION

Mr. Tony Ruprecht: I have a petition here that concerns the residents of Bruce-Grey-Owen Sound, and I'm sending it over to the member from Bruce-Grey-Owen Sound. The other petition I have here concerns the residents of Davenport. It reads as follows:

"Whereas GO Transit's West Diamond project is using a method of pile installation that is ill-suited to an urban environment and causing undue disruption and harm to residents in neighbourhoods on both sides of the railroad tracks;"

"Whereas there are other methods of installing piles that would" be minimal in terms of disruptions "and no harm would occur to residents or property;

"Whereas the actions of GO Transit have been inadequate to mitigate the human and property concerns experienced by residents;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Cease the current method of pile installation used in the West Diamond project immediately and engage in a

consultation with the community residents to find a mutually agreed upon method that ends the damage to our homes, our quality of life and our physical health."

I am sending this petition to you through page Shaan Ali.

ORDERS OF THE DAY

TECHNICAL STANDARDS AND SAFETY STATUTE LAW AMENDMENT ACT, 2009

LOI DE 2009 MODIFIANT DES LOIS EN CE QUI A TRAIT AUX NORMES TECHNIQUES ET À LA SÉCURITÉ

Mr. McMeekin moved second reading of the following bill:

Bill 187, An Act to amend the Technical Standards and Safety Act, 2000 and the Safety and Consumer Statutes Administration Act, 1996 / Projet de loi 187, Loi modifiant la Loi de 2000 sur les normes techniques et la sécurité et la Loi de 1996 sur l'application de certaines lois traitant de sécurité et de services aux consommateurs.

The Speaker (Hon. Steve Peters): Further debate?

Hon. Ted McMeekin: I just want to say that I'll be sharing my time with my parliamentary assistant, the member from Stormont-Dundas-South Glengarry, Mr. Jim Brownell.

Mr. Robert W. Runciman: "Stormount:" How do you spell that?

Hon. Ted McMeekin: With a big B. Beatitudes, right? That's what you use when your A attitudes don't work.

I am privileged to rise in the House today for second reading of the Technical Standards and Safety Statute Law Amendment Act, 2009.

Ontario's technical standards are amongst the best in the world. They work well to protect the people of this province every single day.

This past spring, my colleague, the Honourable Harinder Takhar, former Minister of Small Business and Consumer Services, introduced Bill 187 that would amend the Technical Standards and Safety Act, 2000.

The Technical Standards and Safety Act is administered by the Technical Safety and Standards Authority, or TSSA, on behalf of our government. The TSSA is a self-funded, not-for-profit corporation formed under the Corporations Act that has been delegated the responsibility of administering the act and regulations on behalf of the Minister of Consumer Services. The TSSA works every day to protect the men, women, children and families of our great province. It delivers regulatory services and technical safety in five key areas in this province. These key areas are: upholstered and stuffed articles, boilers and pressure vessels, amusement and elevating devices, fuel safety, and operating engineers.

This past summer, I had the opportunity to actually see the TSSA in action at the Canadian National Exhibition. The CNE is an event that families take part in every year. It is also a major tourist attraction for our province, and the TSSA plays a major role in ensuring the CNE's success, from inspecting the rides each day to making sure that the stuffed animals offered as prizes contain only new, clean fill materials. The TSSA does a good job of making sure that the public can have a safe and enjoyable time. Keeping the public safe is a top priority for this government. There is no doubt in my mind that Ontario's technical safety standards are among the best in the world.

The TSSA has demonstrated positive public safety results in the sectors that they regulate. They have increased their capacity to carry out inspections, which has resulted in a decrease in the number of incidents, injuries and fatalities in the industries they regulate. And TSSA has developed innovative approaches to public safety through targeted education and public awareness programs.

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Even though the TSSA has a strong performance record in safeguarding the public, it is prudent to look at amendments that will strengthen our governance and accountability framework and which will strengthen public confidence in our safety system. I'm sure my honourable colleagues would agree that it is incumbent on us to constantly work to improve our technical safety systems and standards even further. It's our job to continually identify and act where improvements can be made, and that is precisely our intent with these proposed amendments to Ontario's Technical Standards and Safety Act. Our proposed amendments are designed to build on the work the TSSA is doing to help further strengthen Ontario's technical safety system. Our proposed amendments would do a number of important things:

First, we would require the TSSA to appoint a chief safety and risk officer. This position would provide independent advocacy for improving safety and would report annually and publicly on how the TSSA is meeting its public safety mandate. This officer will also work with the TSSA to bring new safety best practices into the TSSA.

Second, we propose to give the Minister of Consumer Services the power to guide the strategic focus of the TSSA by issuing policy directives. This could help align government and TSSA priorities. These could include emerging public safety issues or energy efficiency and conservation.

Third, we propose to give the Minister of Consumer Services the power to appoint the chair and the vice-chair of the TSSA's board from among the directors. We have a strong interest in the effective operation of the board and the entire organization. All board members, whether elected or appointed by the minister, would be required to meet competency criteria approved by the minister.

Fourth, we propose to allow the Auditor General to access the TSSA's records should the auditor choose to

conduct an audit. Consultation with the Auditor General has already taken place, and the Auditor General supports this approach. As you know, the Auditor General's role extends beyond looking at financial information; it includes assessing the effectiveness of an organization's policies and procedures as well as providing recommendations for improvements. Should the Auditor General choose to conduct an audit, I am confident the TSSA would welcome this independent review of their operation, as it continually looks for ways to strengthen public safety.

Fifth, we propose to require the minister and the TSSA to enter into a memorandum of understanding on the governance of the corporation, one that clearly articulates the roles and responsibilities of the government and the TSSA. An MOU would increase transparency and could include a variety of accountability tools and requirements, including policies consistent with government legislation, such as access to information, privacy requirements, French language standards and an ethical framework for employees. The use of an MOU to provide clear direction in such areas would improve visibility and transparency.

Sixth, we propose to allow the Minister of Consumer Services to require performance, governance, accountability or financial reviews of the corporation.

Two of the amendments would address recommendations made by Ontario's propane safety review panel last November.

As my honourable colleagues will be aware, the panel reported that the building blocks for public safety in Ontario are already in place. The panel also stated that, over the years, these building blocks have served the people of Ontario well. However, as with any review, there is always room for improvement. Where improvements can be made, it is our responsibility to identify them and to put them in place. Our children, our families, and men and women across this province expect no less than our constant vigilance to ensure they are safe, day in and day out.

Among their 40 recommendations, the vast majority of which have already been acted upon, there were two which would require a legislative change as distinct from regulatory or other changes, and it is these two we propose to address in these amendments.

The panel advised that our government provide the TSSA with clear authority to respond to imminent hazards to public safety and charge the cost back to the operator. Our proposed amendments address this recommendation.

We also propose to provide authority to require propane operators in Ontario to carry insurance as a condition of licensing. This addresses yet another recommendation made by the panel.

Our amendments to Ontario's Technical Standards and Safety Act clearly demonstrate that we are serious about building on our province's technical safety system to keep Ontarians safe.

In closing, I wish to remind my colleagues of the TSSA's vision "to be the world leader in public safety

services.” Its mission is to enhance public safety. To this end, I quote from the TSSA’s most recent annual report: “TSSA’s passion is to make people’s lives better by putting public safety first.”

Through our proposed amendments, the people of Ontario can be confident that we are taking steps to make this province an even safer place, and they can take pride in choosing to work, live and play in a province that considers technical safety of paramount importance.

The Acting Speaker (Mrs. Julia Munro): The member for Stormont–Dundas–South Glengarry.

Mr. Jim Brownell: It’s my pleasure to stand in the House this afternoon in second reading debate in support of the Technical Standards and Safety Statute Law Amendment Act, 2009.

Ontario’s technical standards are among the best in the world. They work well to protect the people of this province every day. In Ontario, the Technical Standards and Safety Authority works day in and day out so that Ontarians from all walks of life—our children, our families and the men and women who work in this province—can be assured of their safety every day.

This past spring in the Ontario Legislature, our government introduced proposed changes to our province’s Technical Standards and Safety Act. This legislation is administered by the Technical Standards and Safety Authority, or TSSA, on behalf of our government.

As we heard from the minister just a few moments ago, the TSSA is a self-funded, not-for-profit corporation formed under the Corporations Act. It works every day to deliver regulatory services and technical safety in five key areas in the province. These five key areas are: upholstered and stuffed articles, boilers and pressure vessels, amusement and elevating devices, fuel safety, and operating engineers.

In terms of upholstered and stuffed articles, the TSSA works to protect the public from potential hazards related to the use of upholstered and stuffed articles sold in this province, everything from teddy bears to mattresses. The TSSA ensures such items are properly labelled and that filling materials are disclosed to the public. This is done by making sure that manufacturers, both domestic and foreign, use only new and clean filling materials.

In addition to promoting safety, TSSA’s aim is to protect consumers against fraud and misrepresentation of upholstered and stuffed articles. In the last fiscal year, the TSSA also worked with Canada Customs to ensure that used furniture and mattresses are not being imported for sale in Ontario.

1600

The TSSA is also responsible for regulating all pressure-retaining components manufactured or used in Ontario, with a commitment to ensuring the safety of boilers, pressure vessels and piping systems. In addition, the TSSA inspects pressure equipment and registers the designs of equipment in accordance with recognized codes and standards.

In terms of amusement rides, the TSSA regulates the safety of more than 1,600 amusement rides in Ontario, such as roller coasters and Ferris wheels. The TSSA conducts inspections, reviews and registers amusement ride designs, and licenses devices to ensure they conform to the legislation, regulations, as well as codes and standards. Ride operators must also be licensed and are responsible for the safe and proper set-up, maintenance and operation of all rides.

The TSSA also delivers public education campaigns at special events and national fairs, and conducts technical seminars for engineers, inspectors and operators.

In terms of fuels safety, the TSSA oversees the safe transportation, storage, handling and use of hydrocarbon fuels, including gasoline, diesel, propane and natural gas. TSSA regulates fuel suppliers, storage and dispensing facilities, transport trucks, pipelines, contractors and their certified employees, and equipment or appliances that use fuels, including residential appliances.

Educating the industry is a key priority, and this past year the TSSA conducted over 300 presentations to industry, as well as published several articles in industry magazines.

Finally, in terms of operating engineers, the TSSA examines and certifies 12,000 operating engineers to ensure they are qualified to operate boiler and pressure vessels. In addition, TSSA inspectors conduct inspections to ensure that boilers are registered, operating safely and in compliance with safety regulations.

It’s a vast mandate, but the TSSA does it well. TSSA has accomplished much since its inception in 1997, and consistently strives to achieve positive safety outcomes. It continually seeks opportunities to improve its operational efficiencies and effectiveness, with the goal of further enhancing public safety. Continuous improvement is critical for progressing to TSSA’s vision: “to be the world leader in public safety services.”

While Ontario’s technical safety standards are among the best in the world, it is our job to identify and act on where improvements can be made. That is why we have proposed amendments to the Technical Standards and Safety Act. Our proposed amendments are designed to build on the work the TSSA is doing, to help further strengthen Ontario’s technical safety system. Bill 187 would also improve the transparency and accountability of the TSSA.

Our proposed amendments would do a number of important things. First, to improve public safety, we would require the TSSA to appoint a chief safety and risk officer. This position would provide independent review of the TSSA and report annually and publicly on how the TSSA is meeting its public safety mandate.

Second, we propose to give the Minister of Consumer Services the power to guide the strategic focus of the TSSA by issuing policy directives.

Third, to increase accountability, we propose to give the Minister of Consumer Services the power to appoint the chair and the vice-chair to the TSSA’s board.

Fourth, to increase transparency, we propose to allow the Auditor General to access the TSSA's records should the auditor choose to conduct an audit.

Fifth, we propose to require the minister and the TSSA to enter into a memorandum of understanding on the governance of the corporation.

Sixth, we propose to allow the Minister of Consumer Services to require performance, governance, accountability or financial reviews of the corporation.

Last November, Ontario's propane safety review panel issued a report on their review of this province's propane safety system. The panel reported that the building blocks for public safety in Ontario are in place, but as always, there is room for improvement. Our proposed changes to the Technical Standards and Safety Act address two of the panel's recommendations. These are the only two recommendations which would require a legislative change as distinct from regulatory or other change, and that is why we are dealing with them here in this bill.

The panel advised that our government provide the TSSA with clear authority to respond to imminent hazards to public safety and charge the costs back to the operator. Our proposed amendments address this recommendation. The panel report also recommended that we require propane operators in Ontario to carry insurance as a condition of licensing. Our proposed amendments address this recommendation as well.

Thirty-three of the panel's 40 recommendations have been acted upon to date, and two of the recommendations were immediately acted upon. First, the Minister of Consumer services has requested Transport Canada to examine the potential benefits to public safety of thermal requirements for highway tank trucks. Second, he has requested the Canadian Standards Association to review and update the relevant sections of the propane installation code.

In December 2008, new regulations were filed which addressed a further 18 of the panel's recommendations and further improved the propane system. The remaining recommendations require additional work and will be reported in the near future.

Our proposed amendments and actions taken to address the panel's recommendations clearly demonstrate that our government and TSSA are serious about building on our province's technical safety system to keep Ontarians safe. No organization can remain static and be successful. The government will work with TSSA to respond to new opportunities and challenges, whether they are in the safety services themselves or the governance model used to deliver those services.

To quote the chair of TSSA, "I am confident that TSSA will build on its successful track record of advancing public safety in Ontario by working effectively with the government of Ontario and the industry sector we regulate."

The people of this province can rest assured that our government is taking steps to make this province even safer, and they can take pride as well in choosing to

work, to live, and to play in a province that considers technical safety paramount.

The Acting Speaker (Mrs. Julia Munro): Questions and comments? The member from Halton.

Mr. Ted Chudleigh: It's interesting to listen to the government speakers. I'm pretty sure they used the same notes. I'm pretty sure they gave the same speech.

They started off by talking about how Ontario has the best standards in the world and we inspect all these kinds of things, and then they went through everything that they're going to do, and they concluded by saying we're going to have the best standards in the world. I don't know. It sounded like they didn't actually need this, and they could actually ignore the Sunrise propane explosion. That was a rather sad time for the government over there because I think it was about four days before one of your members showed up at the disaster site. I think our leader at the time, John Tory, had been to the site two or three times before a government member even showed up. It was rather sad that that had to happen in order to draw the government's attention to the lack of the best standards in the world that existed in Ontario at that time.

This bill does tend to give the government a lot more power, but I don't believe that it addresses the kinds of things that the industry over the last year has brought to the attention of the government: the example of fee structures, the failure to base new regulations on the evidence that exists in the industry, in the province—those kinds of things, which business groups have told us are ignored by this legislation. That's a shame because this legislation only comes along every once in a while—and hopefully, it'll come along without the advent of a major disaster—and when that happens, it's important to get it right.

1610

We in the PC Party would be very pleased to work with the government on this bill. It's a very important piece of legislation. I think it could use a lot of improvement, and we look forward to giving substantial suggestions as to how those improvements take place when this bill gets to committee.

The Acting Speaker (Mrs. Julia Munro): Further comments?

Mr. Peter Tabuns: I find it quite extraordinary that the government has spoken for slightly over 20 minutes on a bill that is the aftermath of a spectacular explosion in this city and, frankly, that follows an explosion that happened in 2004, one that rained hot metallic debris on the 401 and caused the closure of the rail line between here and Kingston. To come forward with a piece of legislation that deals with something that is that extraordinary in this province—frankly, a piece of legislation that, in terms of what has to happen in Ontario, is sadly lacking—and to spend only 20 minutes defending it is extraordinary to me. It says to me that this government is well aware of the complete hollowness of what they have brought forward.

We have heard words about Ontario being amongst the best in the world in terms of protection and safety. I

suggest that the members read the panel report on propane safety. The writers of that report were discreet and diplomatic, but they looked at European legislation, they looked at requirements in Quebec, in Maryland and American states that require insurance so that the catastrophe doesn't fall on the heads of those who have the hot metal raining down on them.

Frankly, if you look at what has gone on in the rest of the world where people have dealt with very severe problems—the Seveso explosion in Italy—and have brought forward legislation that is in fact protective of the public, looks at the question of siting, looks at the question of making sure that there's an adequate setback from hazardous facilities, then we would have a debate in this House on a very substantial piece of legislation. We don't even have debate.

The Acting Speaker (Mrs. Julia Munro): Further comments?

Mr. Mike Colle: I certainly was impressed with the minister's very comprehensive approach to this issue of regulating safety in this province, because I was here in this Legislature when the former government stripped away all regulation. They said, "Let the propane industry and all these industries regulate themselves. It's all going to be okay." We know it hasn't been okay, and this is an example of where government has to step in and ensure the public is protected.

My colleague here from Halton mentioned that there was no member from the other side there, that their former leader John Tory was there. Well, let me tell you, I was there at 6 o'clock in the morning. I jogged up to the site to go right into the site. I talked to the residents and I talked to—I remember George Webster was there, a local resident. I talked to the owner of a storefront church who said, "Look, all these storefronts are all blown out. Thank God my windows were not blown out." I talked to the people who were affected at 6 o'clock in the morning, and I got on the phone right away and phoned the minister, Mr. Bartolucci, and I said, "We need to support the local firefighters here. The police are here doing a great job, blocking off the area. Let's see what emergency management can do." And he right away said, "Yes, I'm on the phone to them. I've already spoken to them." That was at about 8 o'clock that same morning. So before you speak, have the facts.

The critical thing here is that the local residents in the west end were affected by it. I know, at 4 o'clock in the morning, I was woken up by the windows rattling. I went outside. I thought, "This is a weird storm," went inside again and the windows rattled again. I just couldn't understand what it was. I said it must have been some kind of flash of lightning or something, and then I turned on the TV—

The Acting Speaker (Mrs. Julia Munro): Thank you. Comments and questions?

Mr. Randy Hillier: I'm sure I wasn't the only one in this House, after listening to the minister's lead-off debate and the member from Stormont-Dundas-South Glengarry—I'm sure everybody in this House was struck

with a sense of déjà vu as we heard the member from SD&G. I guess the government, in the wake of eHealth, is being a little bit more careful with their consultants and sharing the same speeches, and not paying twice for the same nonsense.

As the member spoke just previously, he forgot to let people know that it wasn't really the Conservatives who gutted regulations, as he said. We created the TSSA. Wake up and smell the roses and don't be asleep. Maybe you need to have another little storm to wake you up.

We saw with the introduction of Bill 187 that, really, when there's a problem with the Liberals, what do they do? We see two very important recommendations or two very important actions coming out of Bill 187—more patronage; now the Liberals are going to appoint the chair and the vice-chair. This is how we're going to solve things in Liberal Ontario: Appoint more of our friends when it comes time to do some legislation—appointing their friends, playing fast and loose with the facts, as we heard from some of the members over there, and then having the gall to show this House that they have no care for democracy when they have the same prepared speeches by the members on the Liberal side.

Let's have some honest discussion and buy another speechwriter, I guess, is what you could do.

The Acting Speaker (Mrs. Julia Munro): Response?

Hon. Ted McMeekin: I appreciate the chance to respond, and I am particularly pleased that some members opposite indicated they looked forward in breathless anticipation to working with our government to enhance this legislation. Of course, that's always a helpful position for people who are sent to this people's place to take, and we want to advantage that.

The best political advice I ever received was from the late, great Sterling Hunt, a farmer in my riding who said, "Tell them what's broke and how you're going to fix it." I think that's pretty good advice for those of us who have the privilege of coming to this place. We come with an attitude of not wanting to fear the future, but, on a good day, to shape it and to change it for the better.

The event at Sunrise was tragic—tragic events, tragic consequences, and certainly consequences that no one in this House ever wants to see repeated. That having been said, we did set out an independent review—it wasn't a government review; it was an independent review. There were 40 recommendations, and we acted very, very quickly, not to point fingers, but rather to point direction. Anybody can look back and curse the darkness, but we really need to move forward to further enhance public safety. So we acted quickly on the recommendations, and we look forward to an enhanced accountability here.

As government, you're darned if you do and you're darned if you don't: "Take charge, show that you care," and then, when you put accountability mechanisms in place, it's not always well received. But we look forward to doing that and we look forward to a better TSSA.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Robert W. Runciman: Madam Speaker, as you are aware, the opposition was not advised that this bill

would be called for debate until early this morning. On that basis, our critic is unable to attend, as you well know, and I would ask for unanimous consent to defer our leadoff.

The Acting Speaker (Mrs. Julia Munro): Agreed? Agreed.

Mr. Robert W. Runciman: Thank you, Madam Speaker. I appreciate that. As I said, the House schedule was changed early this morning, and we were advised that Bill 187 would be called. There was really no effective notice to the opposition parties, and our critic the member from York-Simcoe, Ms. Julia Munro, was unable to attend. We know what an effective spokesperson she is in this portfolio for the residents she represents who are residing in York-Simcoe.

As you know, we've just finished a break week, a constituency week, where the government had at least five working days to plan their schedule and clearly couldn't do it. This is not simply a case of failing to show respect for opposition parties; it's also a stark display of this government's disarray. It's administrative incompetence.

The McGuinty government was recently described as Canada's worst government. We've seen that incompetence with the scandals at eHealth, at the Ontario Lottery and Gaming Corp., with the idiotic closure of service centres along the 401 and with the closure of cost-efficient and effective licence-issuing offices in favour of more government bureaucracy.

Madam Speaker, as you know, the opposition has few tools to express its dissatisfaction with the government. The government, by its failure to provide adequate notice for a significant change in the business of this House, compels us to use one of those tools to express our dissatisfaction. Therefore, I move adjournment of the debate.

The Acting Speaker (Mrs. Julia Munro): Mr. Runciman has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour?

All those opposed will say "nay."

In my opinion, the nays have it.

Call in the members. This will be a—

Interjection: There weren't five in their seats.

The Acting Speaker (Mrs. Julia Munro): Yes, there were.

Call in the members. This will be a 30-minute bell.

The division bells rang from 1622 to 1652.

The Acting Speaker (Mrs. Julia Munro): Mr. Runciman has moved adjournment of the debate.

All those in favour will rise and remain standing.

All those opposed will stand.

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 13; the nays are 38.

The Acting Speaker (Mrs. Julia Munro): I declare the motion lost.

The Chair recognizes Mr. Runciman.

Mr. Robert W. Runciman: We know this legislation, Bill 187, is an important piece of legislation. There's no question about that. We do have a number of concerns. Our critic has a number of concerns with respect to the legislation and what we believe are important omissions with respect to what has been tabled in this Legislature.

We asked for adjournment of the debate quite simply because we were not notified until this morning of a change in the House business agenda, which I think anyone, even on the other side of the Legislature, would agree was showing a very distinct lack of respect for the other members who sit in this place and have a role to play in terms of representing their constituents, and others who may have concerns with respect to initiatives or a lack of initiatives undertaken by the current government.

As I indicated earlier, I think this is an indication of disarray within this government, recently described as the worst government in Canada, and based on that, I now move adjournment of the House.

The Acting Speaker (Mrs. Julia Munro): Mr. Runciman has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

Interjections.

The Acting Speaker (Mrs. Julia Munro): Order. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 1655 to 1725.

The Acting Speaker (Mrs. Julia Munro): Mr. Runciman has moved adjournment of the House.

All those in favour, please rise and remain standing. Thank you.

All those opposed, please rise and remain standing.

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 14; the nays are 39.

The Acting Speaker (Mrs. Julia Munro): I declare the motion lost.

Questions and comments?

Mr. Peter Tabuns: Madam Speaker, we have gone through two adjournment calls in the last hour. Frankly, I know that the matter before us is of great moment. It is extraordinary to me that this government went back on an agreement about scheduling for this week, moved this debate from Wednesday and Thursday morning to today, on notice this morning, so that we in our parties didn't have an opportunity to do the preparation that we wanted to do. We have had the Liberals speak for 20 minutes—the lead on their legislation—trying to justify their lack of action on this issue.

Interjections.

Mr. Peter Tabuns: There are interjections from others, but I will say to you—and I watched the clock—a total of 20 minutes elapsed, in which little was said.

When you bring forward legislation, as the minister has said, that is of consequence, when we are dealing with issues of safety and of life and death in this province

and we have a government that presents a bill and does not even speak to that bill, does not justify the basis for the bill, does not go through an analysis of why their legislation is of consequence in this province, frankly, it shows a lack of respect for this House.

I have to say that the opposition was correct to call for adjournment twice. I am not calling for adjournment; I intend to speak. But I want to say this: When the government shows disrespect for the House, when it shows disrespect for its own legislation, then it's going to have to expect that there will be disruption in this House. This isn't the last time this is going to happen. Show some respect and I'm sure that you can find a way of working with everyone here. Show a lack of respect and we will respond accordingly.

The Acting Speaker (Mrs. Julia Munro): Further comments?

Hon. Ted McMeekin: I'm absolutely amazed that members opposite would be playing the kind of games with public safety that are being played here. The reference from the previous member who just spoke, talking about a 20-minute substantive speech being followed by some kind of vacuum—the vacuum that I think we all just experienced in this House was 60 minutes of wasted time on a subject that both opposition parties claim is of utmost importance and needs to be moved forward. So I think when the people who are watching this at home stop and think about it—you know, we come to this place to try to make a difference, and it's tough, on a good day, to try to make a difference. It's even tougher when we've got people on other sides who want to play games with public safety.

1730

This government doesn't want to play games with public safety. We want to get on with the job. That's why we put an independent review team in place. That's why that group came back with 40 recommendations. That's why this government is moving quickly to implement all of those recommendations. And it's why—and I say this with as much respect as I can muster, given the circumstances—people in Ontario quite rightly feel cynical about politics, when they see that kind of behaviour from the other side of the House.

The Acting Speaker (Mrs. Julia Munro): Further comments?

Mr. Dave Levac: Very quickly, the tradition in this place is to talk about the bill, and one of the members from the NDP has difficulty with measuring the importance of a bill by how many words you say, as opposed to the value of the bill that's coming forward with the recommendations that were created. I always thought a long time ago that if you make your point and say no more, people will understand it much better. So to simply measure by how much time you speak about a bill, the member knows better, that if you take an hour to speak about a bill that is already—you can say nothing in an hour, and quite frankly, I praise the two members who spoke because they captured exactly what the bill was trying to do. We're trying to make it better.

A member on the Conservative side said that he took great credit for the creation of the TSSA. Well, when they were in charge and I was the critic, we found out that only 50% of the people were qualified or even had a licence to look at a machine. So for them to stand up and crow like the roosters they are, to take credit for the sun rising, is absolutely pathetic.

Quite frankly, what we have here is a minister who stepped forward to make some corrections as a result of a third party making recommendations to make this a safer community. I think we should be praising him and thanking him for bringing the bill forward. I think he should get credit for doing that. Instead, we've got somebody over there who says that you have to say so many words in order to make your point. I think he made his point very salient and very straightforward, and I think the people of Ontario will appreciate the fact that public safety is on his mind. I think this minister deserves our praise and thanks for bringing this legislation forward.

The Acting Speaker (Mrs. Julia Munro): The member from Thornhill.

Mr. Peter Shurman: I find it passing strange to listen to the indignation coming from the other side on a bill that was introduced not by that minister but by his predecessor in May—and you have to rush it in today, with a couple of hours' notice, and all of you feign righteous indignation? I've got to tell you, if I could laugh and put it on the record, that's what I'd do, because this is patently ridiculous. So before you accuse us, take a look in the mirror and decide what it is that you're doing.

As a matter of fact, for a government that is looking to fix the problems with the TSSA—this is a government that has established itself as being famous now for locking the stable door after the horse is gone. It was a year ago August that we had the propane explosion, so you want to fix it by making administrative changes to an organization that both of you began by describing as an organization that has introduced some of the best safety standards that exist anywhere, basically, in Canada, if not the world. So you're doing that. This is a government that—again, talking about locking the stable door after the horse is gone—introduced legislation to control sole-sourcing of contracts, to control unbridled expenses. This government wrote the book on that kind of thing. So don't talk about Conservatives. We're six years after the fact. Don't point your finger unless your own hands are clean, which clearly these days they are not.

So as far as this bill is concerned, we'll debate anything you put before us, but not on three hours' notice, not this way, and not until you get it right.

The Acting Speaker (Mrs. Julia Munro): The member has two minutes to respond.

Mr. Robert W. Runciman: I thank all members for their interventions, but especially the member for Toronto—Danforth and the member who just spoke representing Thornhill, for their non-partisan participation.

The reality is that we were being criticized for ringing the bells for 60 minutes. I think the minister was saying,

"We want to get on with the job." The reality is, as my colleague from Thornhill pointed out, that this legislation was introduced some time ago, and all of a sudden, after a week which they had to plan the agenda going forward, they give us in opposition virtually no notice that they're calling this legislation before the House. I think it's an enormous slap in the face to both opposition parties. We represent hundreds of thousands of Ontarians too. There's a rôle for the opposition to play in this place, and it's not being given the respect that it merits by the government of the day. There's no question about that.

We have very few tools available to us. Some of you sat in opposition and you know the limitations that are placed upon you in this rôle—very few tools. All three governments had a role in making rule changes around this place; I'll be the first to say that. We have very few opportunities to get our views on the record. Our own critic is not available because of the short notice. I think it speaks to the incompetence of this government, the disarray within the ranks of this government. They've been recently called the worst government in Canada. We've seen the mess at eHealth, at OLG, the 401 service centres, the licence bureaus being closed across this province so that we can have more bureaucracy. I think we are clearly justified in what we have done, and if this government continues in its arrogant ways, they're going to see much, much more of this in the days ahead.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Peter Tabuns: I will very quickly get to the substance of this bill, but before I do, I want to say to the member from Brant and to the minister that I don't measure the quality of a speech by its length. I have heard people make very brief, powerful statements in this House that have had an impact on me emotionally and intellectually. But I have to say that when you have a bill on the table that comes forward based on a man-made disaster in this city, in this province, and you say that you're going to take the steps necessary to prevent something like that from happening again, when you make claims that the safety standards here are amongst the best in the world and then you read the report of the panel on propane safety, then I expect you to take the time to set out the intellectual case, the logical case, the rationale for the manner in which you've brought forward this legislation.

What we had for 20 minutes was largely devoid of content and of history. There was no talk about Sunrise Propane. The only time I heard Sunrise mentioned was when the member from Brant made an insulting reference to the opposition. That was it. So, trying to act as if you're actually dealing with substantial matters with 20 minutes of blah-blah is not a credible claim. That's the substantial lack of respect that this government has shown to this Legislature and to the people of this province. What it says to me that is quite extraordinary is that the government is lowballing this piece of legislation. I didn't expect that.

Most people don't pay attention to regulation unless something blows up. The world financial crisis—people

paid attention to the lack of regulation of the financial markets and financial instruments. Otherwise, most people don't spend a lot of time thinking about securities commissions. People don't spend a lot of time thinking about regulation of propane, of natural gas, of other substances on a day-to-day basis because they expect the responsible authorities to have thought a bit about it, to have taken the necessary steps. So the idea that you would take an issue that most people aren't going to pay a lot of attention to and then give it even less attention; that you don't have the respect for this legislative chamber to actually present your ideas; that you put it on very short notice, contrary to an agreed-upon agenda: That is the reason for the two adjournments today and the anger on this side of the House at a lack of respect for the democratic process.

1740

That being said, I want to speak to this bill. We've had the opportunity today of Councillor Maria Augimeri being here. Councillor Augimeri represents the area this was hit by the explosion at Sunrise Propane. She dealt directly with the pain and the disruption of the people in her ward at an extraordinarily difficult time.

Ms. Josephine Petcher is here today from the Communications, Energy and Paper Workers Union of Canada—5,000 members who deal with very powerful substances, who are the people who deal with natural gas who are out there working on the pipelines, people who work in the petroleum industry, people whose lives and well-being are at risk if we don't have a thorough, rational, strategically driven program for managing public safety in this province. So there are people here who are watching, there are people here who are present for whom this bill is of great consequence.

What we have before us is a bill that I don't believe, that my party doesn't believe, will actually deal with the fundamental problems at the Technical Standards and Safety Authority, the TSSA; will not deal with the issues that are at hand. And since the government did not speak to this, I want to speak briefly about the context within which this legislation came to us, because it wasn't just that some day, somebody in the ministry thought, "I think we could have a better bill. I think we could have better administration. Mr. Minister, Mr. Minister: Hey, I've got some ideas." No, we had a spectacular failure of the regulatory system in this province, and that is why we're having this debate today. And we didn't have it just once. We've had a few failures here and there, but the ones that really catch your attention—in 2004, an explosion in Northumberland. For those who are out there, I just want to read the words from Northumberland Today so you know in human terms what we're dealing with.

November 11, 2004, the report: Durham Police Sergeant Paul Malik was called out shortly before 8 p.m. because of a fire at Caledon Propane. Emergency services responded to the call "and noticed a couple of hundred [propane tanks] were on fire and exploding." Well, that would catch your attention. That would wake you up, eh? That would make you think, "Hmm, I've got a problem here."

This is what a local resident had to say. “Steffi Nathan lives in a condominium 400 metres from the propane plant and was on the phone when she heard the first explosion.

“‘I heard a little boom and the power went out, but it came back again. Then I heard another boom and the power went out permanently. Then the booms kept coming and coming.’

“Ms. Nathan and her husband, Gary, rushed to their balcony. They couldn’t believe what they were witnessing.

“‘Then after about half an hour, there was a huge explosion. It was so hot that I could feel it right next to my face. It lit up the whole sky. It was brighter than daylight,’ she said.

“The couple were in the process of gathering their belongings when a police officer came to their door and told them to leave.”

Northumberland Today goes on to report, “There were reports of debris landing on Highway 401 and Canada’s busiest highway was shut down until 11:30 p.m.”

Canadian Press reported—and I think this is an interesting bit: “A liquid propane storage facility that exploded into flames Tuesday night, sending hundreds fleeing and showering hot debris onto a major highway, will have to move, says John Mutton, mayor of the municipality of Clarington.

“There were no deaths or injuries but damage is expected to run into millions of dollars.

“Mutton, however, said his chief concern is the safety of nearby residents and drivers on Highway 401, a couple of hundred metres away.

“‘I’m almost speechless at what could have happened,’ he said. ‘There’s obviously concern about the location. This (business) won’t be up and running before we have a talk with the owner, I can tell you that.’”

A preliminary estimate suggests the price tag of \$2.5 million worth of damage. Damage was spread over 1.6 kilometres.

“‘There’s no doubt in my mind that this thing could have blown sky high,’ Durham Regional Police Chief Kevin McAlpine said.

“The biggest propane tank on the site had a capacity of 18,000 US gallons but was mostly empty.” Talk about lucky—talk about lucky.

That was 2004. Now, in 2004, this government was in power, and I’m happy to have someone correct the record, but I don’t remember people saying, “Hmm, I think we’ve got a problem with our regulation here. I think we have substantial issues here.” That realization waited until 2008 with the explosion at Sunrise Propane here in the city of Toronto. Now, I have to tell you that that explosion in 2008 had been preceded two decades earlier by an explosion in the old city of York. Efforts on the part of municipalities to take action were ruled outside their hands by the courts, and so the power to act was left entirely in the hands of the province. All the anger that was directed at the city of Toronto, possibly anger that was directed at the municipal authorities in

Clarington, that anger should be directed at those who hold the power in their hands and have the responsibility for taking action to protect the public safety.

I want to read a few bits, the human response, the human experience of what happened at Sunrise Propane, because I have to say to all of those who are in this House and those who may be watching today that when you debate this legislation, often it sounds fairly dry, technical and distant, but in fact what we debate in this chamber and the decisions we make have direct and real consequences on the lives of people.

The Toronto Sun, August 11, 2008:

“Thousands of people were evacuated early yesterday after a massive propane explosion rocked North York.

“Before firefighters got to her, Vicki Arciero huddled with her family and two dogs in the basement of her demolished home while explosions ripped through the 24-hour, seven-day depot at Sunrise Propane Industrial Gases on Murray Road ... at about 3:20 a.m.

“Arciero said her home was ‘terribly rocked. I thought we got hit by lightning at first.

“‘I ran out, freaking out, it was just too intense,’ she said. ‘And then the second explosion hit.’

“Arciero said her family of four and two Shelties sought refuge in the basement ‘because our windows blew out, light fixtures came down and part of our ceiling.’”

Another person who experienced the explosion, Canadian Forces Corporal Robert Halman, who lives across the street, about 30 metres from the depot, said his small home collapsed around him as he slept because of the “tremendous explosion ... that lit up the sky.”

“Halman said he was at first dazed when he was hit on the head by debris, but then he grabbed a few things and fled.

“‘Everything was dusty and I just grabbed some clothes. I didn’t know what was going on,’ he said. ‘I’ll be okay.

“‘I think the house is totally destroyed,’ he said. ‘I was just trying to get out of there. I felt the heat and started running. I could feel the heat, it was burning the back of my shirt, so I kept running in the opposite direction.’”

That is amongst the best regulatory and safety systems in the world. That’s how people experience it when it goes wrong. That is the physical experience of citizens of this province living with the consequences of a regulatory regime that is inadequate; inadequate for the purposes at hand, inadequate for the protection of human life, inadequate for the protection of human property. As you well know, everyone has said that it was miraculous that only two people died as a result of that explosion, because children would have been walking past that location on their way to school if that explosion had happened early in the morning. Buses could have been going past; trains could have been going past. We were extraordinarily lucky. And if I’ve learned one thing in political life, it’s that luck eventually runs out, and at some point you get caught. We’ve been lucky. We didn’t have big casualties in Bowmanville. We didn’t have

massive casualties at Sunrise Propane. So when we have a piece of legislation that comes forward to deal with a substantial issue that really calls out to be dealt with, then it needs to be accorded the serious presentation and thought that these sorts of matters demand.

1750

Now, that isn't the end of the Sunrise Propane/TSSA saga, because those of you who had the opportunity to read the papers in the following days got a sense of the full flavour of the TSSA at its best.

"Propane Company Twice Violated Safety Codes, Regulator Reveals"—Globe and Mail, August 14, 2008: "Sunrise Propane was found violating provincial safety codes twice in the past two years at the site levelled this week by multiple explosions, but the company was neither shut down nor fined by Ontario's fuel safety regulator.

"The revelations came as details—some later found to be outdated or flawed—about Sunrise and the propane industry continued to trickle out of the regulator, the Technical Standards and Safety Authority. The TSSA said yesterday it investigated Sunrise in 2006 and 2007 and found 'minor infractions.'"

Those minor infractions were cited in the shutdown of this operation. Somebody in 2006 and 2007 didn't put together those minor infractions and understand that what you had—what we had, what this society had—was a company that didn't know how to operate safely, a company that put itself, its employees and its neighbours at risk. And yet the TSSA did not take the action that would be necessary. I'll read their comments later because I found them fascinating.

But what caught most people's attention at the time was that "a list of Toronto's 73 such TSSA-monitored propane sites was released yesterday, including six said to be as big as the Sunrise operation. But visits by the Globe to each of those sites revealed that one company had closed two decades ago, and another two years ago. Three of the sites turned out to be gas stations selling propane in small amounts.

"However, other gas stations with comparable tanks, such as the one at 3925 Keele Street, are not on the list....

"Among the outdated listings was Superior Plus Inc., once the site of a Superior Propane facility that was closed on Oct. 12, 2006, and no longer has propane on site. Another, Lightning Towing, went under 15 or 20 years ago...."

Here you have a company that's responsible for safety and it doesn't even have a current list of the sites that are of concern to the regulator. What does that say? The thing that's extraordinary to me—and maybe it's because the TSSA is not an open body and we don't have access to its inner workings. But I would have fired the senior management. I would have dismissed the board. We look at what's gone on with eHealth, and what went on with eHealth was indefensible, but in the end, eHealth was dealing with dollars and not lives. That board should have been dismissed. That senior management should have been thrown out on the spot. Clearly, they were

incapable of defending the public interest. Clearly, public trust was not a consideration for these people. If you don't even have a list of the properties that you're regulating, how can you regulate them? What is the basis for your credibility? You don't have credibility. That's the TSSA. That's the organization that was given that responsibility.

The minister at the time, Harinder Takhar, expressed his anger. In the papers, it was reported that he read the riot act. It doesn't report that people were fired, and they should have been. It doesn't report that people were demoted. It doesn't report that the minister took the action that one would expect when you have a spectacular and profound failure of an authority to operate in a business-like manner in a way that protects the public interest. It's not there.

The lists were wrong. Reporters—no offence to folks in journalism, but generally speaking, I don't think of journalists as my first line of defence on regulatory authorities. But thank God they actually were able to take their cars, drive around, check the list and find out that the list was useless. They were critical in terms of bringing that authority and this government to account for a lack of proper diligence.

In the end, the city of Toronto had to move in and take responsibility for the cleanup. Not only did the government turn over the power for regulation to a body that clearly was incapable of doing that, not only did the government actively fight in court to stop cities from protecting their residents from propane-run operations, but in the end it left the city holding the bag to do the cleanup—extraordinary. I have to say that if this is amongst the best in the world, then one can only hope that Providence is looking out for us, because clearly this government is not.

This authority was set up under the Mike Harris government to be a private corporation with a board of directors drawn primarily from industry. Because it's a private corporation, the TSSA is not accountable to the public as a government agency would be; it doesn't fall under government oversight. That is a huge mistake. That should not have been put in place initially, and it should not have been kept on when a government that claimed to reject the legacy of Mike Harris came to power. In fact, this is a government that has embraced the legacy of that jurisdiction. That's a reality.

This government's Bill 187 reiterates that the TSSA remains a corporation, that its officers, directors and employees are not agents of the crown and that the crown is not liable for any acts or omissions by persons who are not agents of the crown. Again, I ask: Who takes the heat? Where does the buck stop? This government can say, "Not us. We have an arm's-length agency."

When something goes disastrously wrong, the minister may be questioned by us, but the minister who was responsible for this should have been dismissed from cabinet and, further down in the TSSA, the board and the senior management should all have been dismissed.

I want to read to you the director's decision to suspend the authorization to operate a propane filling station. It's

interesting, in light of the comments about the TSSA twice finding that Superior Propane—sorry, not Superior; Sunrise—that Sunrise Propane acted improperly. In writing about why this company should not be allowed to proceed, the director at the time writes:

“On or about November 9, 2006, an inspector from the Technical Standards and Safety Authority attended to conduct a spot inspection of the Murray Road facility. As a result of the inspection, the inspector had reason to believe the authorization holder had been carrying out truck-to-truck propane transfers.” For those who haven’t had a chance to read the file, it’s those truck-to-truck transfers that are particularly hazardous and, in this case, were the element, the action, that precipitated the explosion. “The inspector issued an order pursuant to section 21 of the act to cease and desist the truck-to-truck propane transfer procedure.” That was in November 2006.

It’s interesting: The director goes on to say, “Despite the order issued by the inspector, the authorization

holders or their directors or officers routinely allowed the unsafe practice of transferring propane products from truck to truck.”

In fact, it was known that that unsafe practice, contrary to regulation, was going on. We were lucky, from November 2006 to the summer of 2008, that Sunrise Propane didn’t blow up, but in the summer of 2008 it did. Finally, this ignoring of regulations and rules caught up with the operator, the poor man who was killed in the course of this, the tragic death of the firefighter who was part of the team sent out to deal with this, and this company was shut down. That should not have gone on that long.

Second reading debate deemed adjourned.

The Acting Speaker (Mrs. Julia Munro): It being 6 of the clock, this House stands adjourned until 9 a.m. Wednesday, October 21.

The House adjourned at 1801.

LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Hoy, Pat (LIB)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
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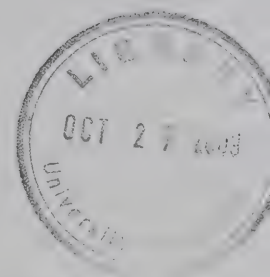
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Wednesday 21 October 2009

Mercredi 21 octobre 2009

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 21 October 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 21 octobre 2009

The House met at 0900.

The Speaker (Hon. Steve Peters): Good morning. Please remain standing for the Lord's Prayer, followed by the Baha'i prayer.

Prayers.

CORRECTION OF RECORD

Hon. Laurel C. Broten: I rise on a point of order to correct my record. Yesterday, in response to a question from the member from Timmins–James Bay, I said that Jeanne Sauvé Family Services received a funding increase of 35% since 2003, while the number of children in care decreased by 25%. In fact, the number of children in care has increased by 25%. I regret the error, Speaker.

ORDERS OF THE DAY

MINING AMENDMENT ACT, 2009

LOI DE 2009 MODIFIANT LA LOI SUR LES MINES

Mr. Gravelle moved third reading of the following bill:

Bill 173, An Act to amend the Mining Act / Projet de loi 173, Loi modifiant la Loi sur les mines.

The Speaker (Hon. Steve Peters): Debate?

Hon. Michael Gravelle: I am very honoured to lead off today's debate on Bill 173, An Act to amend the Mining Act. I am extremely pleased to have this opportunity to review for the House the strengths of this proposed legislation and why we believe strongly that this is a bill that our government can be very proud of.

Bill 173 is aimed at bringing our mining legislation into harmony with the values of today's society, while at the same time promoting a strong, vibrant and competitive minerals industry. As I said throughout the comprehensive consultation process prior to the drafting of the Mining Act amendments, a balanced approach that seeks to reconcile divergent views is clearly the only way to achieve our social and economic goals. It certainly isn't surprising that there is widespread agreement on the need to modernize the Mining Act. We acknowledge that. Neither is it surprising that legislation that affects so many Ontarians in so many different regions and in so many different ways should engender passionate discussion, opinion and debate.

However, our government is taking on the very necessary task of drafting legislation designed to make the Mining Act relevant in the 21st century as we revitalize Ontario's approach to mineral exploration and development. We have gone about this process with deliberation and very careful planning, and with the highest regard for the opinions of all those who are directly or indirectly involved in, or affected by, Ontario's minerals industry.

Our government has in fact been working toward proposed amendment of this legislation for some time, and we have not worked in isolation. We have involved and consulted a wide range of stakeholders and aboriginal communities in a very focused way over a period of several years. The initial process of engaging with aboriginal communities and stakeholders about the province's mineral industry prepared our government well for the extensive and comprehensive consultation we undertook to prepare for amending the Mining Act.

Details of the subsequent process of consultation have been well documented in the House. You may recall, Mr. Speaker, despite characterizations to the contrary by some of my friends across the aisle, the extensive consultation process by which we invited public, stakeholder and aboriginal community input to the drafting of Bill 173. It was indeed most impressive.

Some of these aspects included public consultations in some 20 stakeholder sessions that involved more than 1,000 participants across the province; 156 responses to the discussion paper that was posted on the Environmental Registry; 10 sessions with regional prospecting and exploration organizations, with more than 200 participants; 15 workshops and regional sessions that included over 100 aboriginal communities, treaty organizations, tribal councils and the Metis Nation of Ontario. We had 11 meetings in individual First Nation communities; we had support from our own aboriginal relations unit staff at 14 sessions, led by the Union of Ontario Indians First Nations; and, of course, we had further consultations in five Ontario communities this summer by the Standing Committee on General Government.

I think it's important to say that our government's having facilitated such extensive consultation is not in itself the important thing; certainly, I'm well aware that we had good debates and received some very valuable input that raised important issues. But the point may be that this comprehensive consultation and the discussion it has engendered have produced a very balanced piece of legislation.

Let me repeat—this is very, very important, and I will continue to state this: Our aim in modernizing the Mining

Act is to offer a balanced approach to mineral development that considers a range of interests while supporting a competitive economic climate for the mineral sector. That is absolutely key. We are confident that the proposed legislation reflects the values of a modern Ontario and at the same time promotes a strong, vibrant and competitive minerals industry.

Should Bill 173 pass third reading, we would be moving to our next steps. We clearly understand that certainty of rules and clarity and timeliness of process are crucial for the industry to make their important investment decisions. We are well prepared to move forward on the balanced, moderate course we are proposing to achieve real progress.

Upon receiving royal assent, if we are successful in passage, some new provisions would come into effect immediately. These would include the inclusion of a clause in all leases and lease renewals highlighting the protection for existing aboriginal and treaty rights provided in section 35 of the Constitution Act. It would also include the ability to replace a lost or stolen prospector's licence without requiring an affidavit, which will be a significant benefit in areas such as First Nations communities where no commissioner for taking affidavits is available.

We will have some provisions for streamlining some administrative processes put in as well, and in southern Ontario, the automatic withdrawal of crown mineral rights under privately held surface rights will be proclaimed. As the issue of surface rights versus mining rights has certainly been pretty contentious in southern Ontario, I think it might be helpful if I offered a brief reminder of what our legislation is proposing on this specific issue.

0910

One objective in modernizing the Mining Act is to mitigate the conflicts that have arisen between mineral exploration companies and private landholders who do not hold the mineral rights on their properties. Lands with private service rights and crown mineral rights that are open for staking—it's very interesting: They represent only 1.4% of the land in southern Ontario. However, we do recognize that this has been a frustrating and worrisome issue for some landowners. Bill 173 would address conflicts where private surface rights owners do not hold the mineral rights on their lands. The Mining Act amendments propose to automatically withdraw crown-held mining rights in southern Ontario where surface rights are privately held, while respecting existing claims and leases. Now, if those claims or leases forfeit or terminate and the mineral rights return to the crown, those mineral rights would be automatically withdrawn.

As well, exploration where there are mining claims involving private surface rights would be subject to the new graduated regulatory scheme for exploration, which requires exploration plans for low-impact activities and exploration permits for activities with a moderate impact.

In addition—here's another very important aspect of the legislation: Owners of certain lands originally patented as mining lands who are not using their land for min-

ing purposes would be able to apply for an exemption from the mining land tax, and this would end a tax that certainly some have considered unfair.

These proposed changes would address the concerns of private property owners and provide clear rules to the exploration industry, and we think it is an important part of our legislation.

I should also emphasize that much of the proposed act enables processes that would be detailed in the regulations. My ministry would begin to develop these regulations in consultation with our stakeholders. That's a very important point. We would do that immediately upon successful passage of this bill. If I may give some examples of what the consultation process will entail: This consultation would occur as my ministry develops regulations and policies dealing with aboriginal consultation provisions, for example, throughout the mining sequence, and more specifically, consultation with respect to: the criteria for sites of aboriginal cultural significance and the process for these withdrawals; exploration plans and permits, including the terms, the conditions and the requirements for early exploration; we will be clarifying the existing consultation process for closure plans for advanced exploration and mine development projects; and we will be developing a dispute resolution process for aboriginal-related mining issues. That is a first in Canada in terms of the dispute resolution process moving forward.

We're also going to be developing regulations and policies dealing with a prospector awareness program for holders of a prospector's licence. It's important that I use this opportunity at third reading to be very clear: This will not be a test to quiz prospectors about their knowledge of their business, which our government absolutely appreciates is substantial. I know a number of prospectors, many, many, in the north. These are extraordinary people, and many of them have been at it for a number of years. So it would not be a training or certification program. The intent of the prospector awareness program is to ensure that prospectors are aware of the new provisions of the Mining Act: the aboriginal engagement and consultation requirements and the best practices, reclamation of exploration sites and the rules for staking claims and exploring for minerals on private lands. We think that would be an important process, and we're pleased that it's in the legislation.

The regulations and policies that we'll be dealing with after passage of the bill—again, if we're successful in passage—would also deal with exploration plans and permits that regulate the earlier stages of exploration through a graduated approach, to ensure that exploration activities will be carried out with the appropriate aboriginal consultation and with regard to private landowners' interests and remediation of disturbances to the land—again, an important element in our legislation.

We will also be addressing something that certainly has been a point of great discussion, and that is the issue of map staking. It's a map-staking regime that will maintain a competitive system for acquiring mining claims in

Ontario. On this particular point, map staking would certainly mark a change from the current system of claim staking we have right now whereby mining companies and prospectors enter on to the land to mark their claims. We do understand how contentious this approach might be—certainly I do; I've spoken to many people about this over the last several months—and we are going to introduce this concept in a very carefully measured way.

I do think it's worth repeating that the phased implementation of map staking will take place over a period of three to five years, but it would start with a paper-based system in southern Ontario, and then it would move to an online, electronic system across the province. This modern computer-based system of staking would reduce even further the already low impact of ground staking. I think it's worth mentioning that we are now certainly in the era of GPS—many of us use that—and Google Earth, and map staking is already a very important part of current mining legislation in a number of jurisdictions.

In addition, I believe there are certainly some real advantages to map staking, which the other mining jurisdictions that have moved there—such as British Columbia, Quebec and Newfoundland—have already discovered. Map staking ultimately would enable prospectors and stakers to acquire land that was previously inaccessible to them because of difficult terrain, because of remoteness or other aspects of inaccessibility. In my very strong opinion, it would help to actually level the playing field in those parts of the province where it is currently too expensive for the prospectors to operate, and it would allow them to stake more land efficiently and accurately. And no matter how the claim is staked, the work still has to be done on the ground. That means the investments in staking and exploration will remain local. I know that's a concern that has certainly been expressed to me by a number of the municipal leaders, and indeed the movement to map staking would take away some of that local investment. But, again, the work still has to be done on the ground once the claim has been staked.

I know there also have been concerns expressed—I know that my colleague across the floor has certainly heard them as well—about map staking opening up the possibility of a single large company staking large tracts of land in the province. I can assure you, and I can certainly assure my colleagues, that should our Mining Act proposals be passed, ongoing consultation and the experience of other jurisdictions will very much help guide our efforts to ensure that we develop a map-staking system that's right for Ontario—a system that maintains competitive access to mineral tenure for all explorationists. That certainly includes individual prospectors, junior exploration companies and senior mining companies alike.

We support the fact that the business of prospecting and exploration is truly the foundation upon which Ontario's diverse mining industry has been built, and we will work to ensure it continues to be the bedrock that supports future growth. That's something that I feel very strongly about, as a member from Thunder Bay–Superior North.

On a related topic, I'm glad to have the opportunity to clear up some misconceptions, as well. There are some misconceptions on the other side by opposition members concerning the issue of payments in lieu of assessment work. I know that was brought up. Let me emphasize three important points, and I'm glad my colleagues are listening.

Mr. Randy Hillier: We're listening on this side.

Hon. Michael Gravelle: Yes, you're always listening.

First, our government is absolutely clear on the importance to local economies of assessment work and the benefits of assessment work reporting to our geological knowledge. There is no intention to “do away” with the requirement to do assessment work. You need to understand that.

Second, the act provides for rules around payment in lieu of assessment work such as when and how often it can be used to replace actual exploration work to be set out in the regulations, which will be developed through consultation. This will be an important aspect of our consultation process through the regulations.

Third—again, something that I think is important—payments in lieu would provide an alternative to current provisions in the act that allow for extensions of time when assessment work has not been completed by required deadlines.

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Keep in mind that this would represent a very small amount of the annual requirement for assessment work—a very small amount. In fact, in other Canadian jurisdictions this provision accounts for less than 5% to maybe a maximum 10% of the total annual assessment reporting requirements. That was something that came up during the committee hearings, I believe, and I wanted to be sure I clarified that point. I'm seeing a smile across the floor. I hope that's a sign that I'm better understood.

Certainly, a vibrant Ontario minerals industry will continue to need and rely on the expertise and knowledge of local geology by our prospectors—that's so true—and certainly prospectors will continue to be an extraordinarily important and valued part of the exploration process.

As I move toward the end of my remarks, I want to emphasize that, should the bill be enacted, should we have successful passage, the consultation process is certainly not ending; it would not end. My ministry will be consulting broadly to gather input to development of the regulations. We are committed to providing more opportunity for input from stakeholder groups, aboriginal organizations and the public to make sure we get it right.

In summary, when it comes to developing an amended Mining Act to promote balanced mineral sector development that benefits all Ontarians, we listen; we listen very, very hard. We respected the input from stakeholders. We reflected that input in our proposed amendments, which we believe will bring clarity and certainty for the minerals industry.

The amendments would also make Ontario the first jurisdiction in Canada to expressly recognize aboriginal and treaty rights in its mining legislation. This is some-

thing that I think we should all be proud of. Again, for the first time in Canadian mining legislation, it would provide for the development of a dispute resolution process for aboriginal-related issues. We'll be working this particular aspect through the regulatory process, but again, I think everybody in the Legislature should be proud of the fact that this is the first dispute resolution process built into such a piece of legislation.

In essence, the dispute resolution process would address issues related to surface versus mining rights. We will be linking mining development to the development of land use plans in Ontario's far north; that's an important aspect to the bill. The bill will also maintain fair and competitive access to mineral tenure through the introduction of map staking, as I pointed out and, very importantly, we will be proposing a graduated regulatory approach for exploration.

It's important to point out, as I'm near to wrapping up my remarks, that our government was extremely mindful—certainly I was as minister and all my ministry staff, who are devoted to the cause—of the need to help many of our communities realize their economic and social aspirations, and to help ensure that Ontario remains one of the best places in the world for mineral exploration and mining investment. Let me use this opportunity to thank all the ministry staff who worked so hard with so many groups, organizations and individuals, and who believe so much in the mineral potential in the north and have for many years.

These amendments offer a balanced approach to mineral development that considers a range of interests while supporting a competitive economic climate for the minerals sector. I believe this is a fine piece of legislation that does meet those objectives. I'm very, very proud of the hard work that's gone into it by all my colleagues and all members of the House. This will be something that I think will make a huge difference in terms of opportunities in northern Ontario.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Gilles Bisson: First of all, let me thank the Conservative Party for allowing me to go first, as I have to attend a House leaders' meeting in about 20 minutes.

Let me just say up front that I wish we were standing here at third reading debating a bill that, quite frankly, should have been amended somewhat from what its present form is. I think what the government is trying to do by its stated goals in this legislation is admirable. Nobody would argue that we don't want to find a way of making our Mining Act easier for end utilisers to use, to have a system of rules that are clear and to give First Nations the comfort they need when it comes to people accessing their traditional territories for prospecting and development. I think we can all support those stated goals; I don't think there's an argument there.

I have advocated in this Legislature for a change to the Mining Act in order to deal with these very things. For example, it is unconscionable that you can have a mine developed somewhere north of Highway 11 and not have

any requirement whatsoever that the mining company enter into some sort of impact benefit agreement with a First Nation.

First Nations, unlike municipalities, don't have any authority to tax a mining operation. If you open a mine in Red Lake, in Timmins or Kirkland Lake and it's within your municipal boundaries, automatically the Municipal Act gives the municipality the ability to tax the surface infrastructure of the mining operation, giving them much-needed revenue, by way of municipal taxes, to pay for services such as providing roads to the mining site, sometimes providing services such as water and sewer etc. Again, municipalities have an ability, because of the authorities that they have, to demand from the mining operation a certain amount of local investment, that the mine source some of their particular purchases from the local community or the local region. There's certainly an understanding that there are going to be jobs available to the local community if a mine opens in your municipality.

If you open a mine, let's say, somewhere in the traditional territories of the Cree or the Ojibway, let's say in Treaty 9 or Treaty 5 or 3, or Robinson-Superior, wherever it might be, there are no such agreements; there's no such authority. There are good examples and bad examples. You look at the example of what happened with Musselwhite and you look at the example of what happened with De Beers, two good examples about how you can develop a mine and you can try to find a way to satisfy both parties. In the case of Attawapiskat, De Beers Canada, when they established their first diamond mining operation in Ontario, said, "We will not go forward unless there's a ratified agreement," that the community of Attawapiskat itself ratifies the impact and benefit agreement so that people have a buy-in for this mine to go forward. De Beers spent in the tens of thousands of dollars to negotiate and to put in place an IBA. Eventually, that IBA was ratified by the community by some 85%.

Clearly, First Nations have said, "We want to have development. We want mining in our area, but there are things we want to ensure: We want to make sure that the environment is protected, that the environment where the mine is going to be happening is developed in such a way that it doesn't adversely affect the environment over a longer term; we want to make sure there's some benefit for the community to which the mine is associated and that there are jobs for the local citizens to be able to do the things that we take for granted."

I look at this legislation, and does it do that? No. All it does is say, "We recognize that First Nations have rights," and that's a step forward in this act; I'll give the government some credit. But when it comes to actually putting in place, "Are there mandated IBAs? Is there revenue-sharing? Is there a comfort on the part of First Nations of knowing they have some authority to determine what's going to happen with that development in their own backyard?" this act doesn't deal with that.

Now, of course, the government is going to say, "Oh, well, that's in the Far North Act. Don't worry about that,

because we're going to do that in another act." Well, I'm dealing with the Far North Act, and it doesn't do that either, and that's a subject for another debate.

So on the one stated goal that the government has put forward, that this is a way of being able to resolve issues that have been put forward for over 100 years now by First Nations when it comes to development of mining projects within their territory, this act doesn't meet the test. It moves it forward. I'm not going to say it does nothing; I would be wrong to say that. But does it address the key concerns? Absolutely not.

Now, what are we doing in order to address some of those concerns? One of the things we're doing is moving to map staking. In my view, one of the reasons the government brought map staking forward is that it was one way of being able to get to the issue of not allowing somebody to go on the ground without having permission from the local community. So the government had to find a way of being able to say, "How do we, on the one hand, allow an open staking system, and on the other hand protect the interests of the First Nations so that the First Nation doesn't all of a sudden wake up, as they did in KI, and find out there are helicopters and prospectors in their backyard without their permission?"

One of the easy ways of doing that is moving to map staking. I understand why the government did it. I've had some conversations with the minister privately about this, and I said, "I understand why you're doing it." I don't like it but I understand it, because what map staking will do is it will still allow a mining company or explorationist to have open staking so that they'll be able to look at territory and say, "We've done some geological surveys by looking at available data, we've flown the area with some airplanes and helicopters, and we've got some more geophysics information that we've gathered from those passes. We think there is a potential of development on these particular properties," and rather than going on the ground and physically staking the claim and having to get permission from the First Nation to do so, they'll be able to bypass all that and just do a map stake. So they will go to the mining recorder's office—well, they probably won't even have to go to the mining recorder's office; they'll probably do it right on the Internet, and they will stake a claim from some office somewhere in Ontario, somewhere in Canada, somewhere in North America, somewhere in South America, Chile, Bolivia, China—they can do it from anywhere in the world, as long as they've got the Internet. Some will argue this is a good thing. But I think it isn't, for a couple of reasons.

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One is that it doesn't deal with the core issue, which is, how do we deal with the concerns of First Nations when it comes to access to their territory? It's a clean way of being able to deal with this, to a certain extent, but it doesn't deal with the basic issue, and that is the issue of respect towards the First Nation.

Number two, it really does—I disagree with the minister—give larger players an opportunity to stake more ground quicker and to gather and gobble up more ground.

The minister says, "Don't worry, we're going to cover that off in the regulations." Listen, I've seen this TV show before. How many pieces of legislation have I seen go through in my last 20 years in this Legislature and we say, "Don't worry, it will be all in regulations, and we're going to safeguard to make sure that doesn't happen." The minister may be very well-intentioned. I know the minister to be a very honourable person. I have no disrespect, and I believe he believes what he believes. But the reality is, the regulatory committee is going to have to come up with a balance of how much is too much and how much is not enough. That's going to be the real test.

I think what you will end up with is an ability to stake a fair amount of land, with some trigger being put into the system where you may have an upper limit of what you can do, but you will certainly be able to stake more land cheaper than you can now, which will give an incentive to the larger companies. And then, tied to that is the issue of assessment.

For people to understand what we're talking about, the way the system currently works, if you think there's a mine on a particular piece of ground and it has not been staked by somebody else, you go on the ground, you mark the corners of the stake by physically putting a post or a ribbon or something to mark the ground, that you've actually been there and you've staked that. You go to the mining recorder's office and record the claim. They double-check to make sure that nobody else has it, and if nobody else does, you have the claim, provided that you pay the fee up front and you do some physical work on that claim to determine if there is anything there. We don't want people to grab ground and hold on to it for a long period of time and not do any physical assessment work on the ground, because that's counterproductive to the need for exploration to find new mines.

What we have now: I stake the claim; every year I have to do a certain amount of assessment work on that claim in order to show that I'm actually physically working on that claim and bringing it towards, hopefully, a mine, or deciding that there's nothing there. But I physically have to do something. I have to do some geological work, I might have to do some trenching, or I might have to do some diamond drilling. Depending on where I am in the process, every year I have to do something.

The effect of that is, it says to the person who holds the claim, "You just can't hold on to the ground for a whole long period of time and do nothing with it. We expect you, if you're going to stake the claim, to actively seek and find out if there are any minerals under that ground." At one point, once you've spent a certain amount of money and you come to the conclusion that there are minerals under the ground, you try to sell it off to somebody else or you develop your own mine, or you get rid of it by basically relinquishing the claim back to the province and the ground is reopened for staking again.

Under this system, once you go to map staking, the large companies are going to map-stake a whole bunch of ground. They're going to have to do some physical as-

assessment—I agree with the minister, because I somewhat understand how your process is going to work—but you will be able to apply to do what is called a payment in lieu; that is to say, I only have to give a cheque to the province of Ontario every year with some conditions in order to hold that ground as ground that is my claim. That means to say that there will be less physical assessment done. The issue to me is that we need to at all times, when staking ground and having a claim staked, make sure there is physical assessment work being done in order to determine if that ground is, yes, going to be a mine, or it's not, and to force people to do that work so that they just don't hold on to the land for two or three or five or 10 years without doing the required amount of work that should be done to make sure there is actually a mine there. So I think payment in lieu, in the long run, is going to lead to less physical assessment being done, and it will diminish the information that we have in our geological database here in the province of Ontario.

I'm being signalled for something. I see a clerk standing on the side of the Legislature opening hands and reading books. He's a committee clerk, so I figure he is trying to drag my attention to something.

Anyway, I say that is the problem with that particular part. Why did the government do it? As I said at the beginning, simply put, map staking is an easy way of getting around the issue of having somebody show up on traditional territory, without permission and knowledge of the community, to actually physically stake a claim. That's that part of it.

The next part of what the government is doing is that prospectors are going to have to take prospectors' awareness programs. The government says, "Don't worry, that's not a licensing system. It's just to make sure that everybody understands what is in the new Mining Act." Well, do you think that people in the mining exploration business wouldn't take the time to figure out what's in the act? It's their business. I'm an electrician. My colleague who's going to speak after me is an electrician. Do you think that when we were in the trade, and even today, we don't keep up with what's happening with the electrical code? I've been out of the trade for over 25 years and I'm still having conversations with friends about the stupid things they did in the code book last year, because that's my trade; I'm an electrician. You keep up with what happens in your trade so that you know what the rules are as they change from year to year.

I just look back and I look at people who are in the business, the prospectors in this province, and I think of people like Dave Meunier. If you know Dave, he's a very knowledgeable prospector in the exploration community. He has been in the business for over 30 years, knows what he's doing. He knows the Mining Act inside out and has a really good understanding of what mining is all about. And you're going to go to him and say, "Take some sensitivity training so that you can understand what's in the Mining Act"? A guy like Dave Meunier or a person like Don McKinnon or some of these long-standing prospectors, they're going to take that as a bit of a slap.

Prospecting is a very—how would I say it? It attracts a very different breed of people. It's almost a bit—I know I'm going to get in a little bit of trouble with this, but it's somewhat of a frontier. People who go into the prospecting business love the outdoors. They love the issue of geology. They love the hunt of trying to find a mine. And it is a somewhat secretive business, because one prospector doesn't necessarily tell the other prospectors what he or she is up to. Why? Because at the end of the day, you're trying to stake ground that nobody else knows about.

It's a very different breed of people in this industry, and to say to people like Dave and Don and others, "You're going to have to go out and take a prospectors' awareness program in order to keep your prospector's licence in good standing"—I can guarantee you, when this legislation comes into force, there are going to be really interesting discussions between the ministry and some of these characters. I see the minister kind of smiling and looking at me, because he knows it as well as I do. Can you imagine the person who has to deal with Don McKinnon? You know Don McKinnon as well as I do. And Don has only found how many mines? He found the Hemlo gold mine, and the list goes on. This guy has been one of the more successful prospectors in Ontario. I don't want to use the word "bureaucrat," because it's not a very nice way to put it, but some employee of the Ministry of Northern Development and Mines is going to have to sit there and try to determine if Don knows his business. I can tell you there's going to be a real interesting discussion in that room.

Hon. Michael Gravelle: There's thousands of other prospectors.

Mr. Gilles Bisson: Oh, yeah, there's thousands of other prospectors who are probably all going to do the same thing.

Is it a good idea to have a prospectors' awareness program for new prospectors? Absolutely. All I asked in this committee was that we grandfather those who have been there for a certain period of time. That I thought was a very reasonable request. You did it, for example, when we created new trades such as the electrical trade and others. People who had been in the trade and earned their living at it for a number of years were deemed to have known what they were doing, therefore they got their licence. We should have done the same thing for the prospectors. We should have said, "Anybody who has been an active prospector for X number of years doesn't have to do this. Here's a copy of the new act. Here's the circular that goes with it. Please read this on our behalf. Thank you very much." They would have read it, as they will read it anyway. I think it would have been one way of being able to say to those prospectors, "We respect that you know what you're doing and at the end of the day you're going to know what has to be done under the act." Why didn't we grandfather? Is the idea itself a good idea? I don't think it's a bad one. To say that new prospectors have to go through this, I don't think it's a bad idea but we should have grandfathered.

Then there's the whole issue of the exploration licences or permits. I think that's not a bad idea. That's one part of the act that I look at—and I know there are going to be some who are going to have some problems with that, but I think it's not a bad idea so that we clearly determine what it is you want to do as you move into advanced exploration, so that there's a clear understanding of what type of work is going to be done on the ground, that it's defined, there's a scope to it and there are no surprises at the end on the part of people who may be concerned about that particular development. So I don't think it's a bad idea.

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There are going to be some in the exploration industry who are going to argue this adds yet more costs to the business of doing mining. I understand that and that is going to be one of the issues that is going to come out of that—but, in itself, not a bad idea.

Then the whole issue—and we are going to hear about this in greater detail from my friend Mr. Hillier—of private lands: I've only got three minutes left, but what the government attempted to do is, lands in the province of Ontario were not always—originally they were always sold with mining rights associated to them. But over the years, mining rights were removed from some of the sales in some cases, or people forfeited their mining rights, because if you had mining rights you had to pay an additional tax on that land. So people over the years said, "I will keep the surface rights and I will sell the mining rights or give the mining rights back to the provincial government." It's created a situation where about less than 2% of lands in the province of Ontario have those mining rights that are separated from those surface rights, and how to deal with that, because the effect was if you didn't own the mining rights and you owned the surface rights, you can physically have somebody come on your land and do some exploration and not have a heck of a lot to say about it. It was the perception on the part of many people.

In northern Ontario, you don't see that very often because what always happens—and I'm not aware of any case where it hasn't happened—the prospector would go out and stake the claim, yes—and you don't have to have permission to stake the claim; they would just go out and mark the corners of what their claim is. But the minute that they went out and did any kind of exploration, they would seek permission from the property owner and they would come to some sort of understanding. This has not been done in all cases and there's been some rare cases where explorationists have gone in and done that work without any permission. So the government asked how to deal with the issue where somebody owns the surface rights but doesn't own the mining rights and you have this type of conflict going on. They said, "Whoopee, we've got ourselves a solution. Everybody in southern Ontario, we're going to close those grounds to staking so that if you own private property to which you don't have the mining rights, the mining rights that are owned by the crown will be withdrawn from the database and you will no longer be able to stake there."

In southern Ontario that's not a very big issue, because there's not as much mineral potential as in northern Ontario. So they said, for the north, the province already has those mining rights and if you wish, as a property owner, to have your private property rights respected, you can then apply to have the claim withdrawn from staking. So that has created a double standard; there's one standard for southern Ontario and a very separate standard for northern Ontario. I understand why the government did it, but for a lot of people they see it as a double standard and they see it as the south getting something that the north didn't get. I understand why the government did it. I'm a northerner. I understand that most of us in northern Ontario understand what the business of staking is and there isn't as big of a problem on this issue as there is in southern Ontario, but still, it leads the issue.

It's unfortunate because we find ourselves now with an act that was supposing to provide clarity, certainty of rules, and to make the Mining Act more modern. It certainly makes it somewhat more modern, I wouldn't disagree with what the government said there, but falls short, I think, on some of the key components they should have dealt with. It doesn't address the First Nations issues when it comes to revenue-sharing and when it comes to the issue of access to employment, it doesn't deal adequately with the modernization that was sorely needed within the Mining Act and I don't think, at the end of the day, it provides the type of clarity that the government says they needed to provide in the first place. For that reason, I will be voting against this legislation at third reading.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Randy Hillier: Before I get to some prepared notes I would like to just make a few comments regarding the minister's statements and also put on the record that here in third reading of a most important bill, it's important for everybody in this province to understand that the PC caucus, all the members of the PC caucus who attended many meetings and were engaged in a lot of discussion with stakeholders over this bill, are now prevented from discussing Bill 173 because of the time allocation motion that this government put into place. The whole PC caucus now has 20 minutes to debate one bill called Bill 173.

But I do want to say this: I believe the minister is an honourable person and is striving and doing his utmost to try to improve things. However, it also reminds me of the story Alice in Wonderland. Maybe it'll be a new one, Michael in Wonderland, with Bill 173. I know his intent is good, and he suggested that we're going to make sure all these things are taken care of; all these problems and concerns that we know are there, we're just going to make sure that the regulations are correct and mitigate these problems.

Everybody in this province has seen the level of management and administration of this government when it comes to their agencies, their ministries or boards or commissions. We've seen the level of scrutiny that this

government provides to their employees. This government certainly gets involved when it comes time to have patronage appointments or they get involved when there are untendered contracts or bids that need to be dealt with. But otherwise, it's a hands-off approach. The bureaucracy runs the show, and we in the House will never get the opportunity to represent our constituents, represent the people of Ontario, when those regulations are brought forward. They will come through by executive order in council and we will never see them. We will never have that opportunity to do what we are hired to do, what we're elected to do, and that is to represent our constituents and ensure that legislation is fair and just and reasonable.

Bill 173, the concept of modernizing the Mining Act, is indeed important. We've seen the conflicts in mining. We've seen things such as Platinex and why Platinex has called for the minister's resignation. There are significant conflicts.

We also heard time and time again that what needed to happen was community participation, that we needed to have revenue sharing, that we needed to have equal protection of property rights under the law. We haven't got any of those things, any of those necessary commitments to prevent the conflicts in mining and allow mining to prosper.

The minister also makes all kinds of assertions that there were all these workshops, and, sure, there were many, many workshops. However, unlike the minister, I've actually sat through some of these workshops; I wasn't there just for five or 10 minutes at the opening. What is so clear with all these workshops is that they are contrived and they're manipulated, and a predetermined outcome is the order of the day. That's just a little bit of a hint why the National Post columnists are now calling this government "Canada's worst government."

I will get back to some of my prepared notes on Bill 173. As we talked about these workshops and all this consultation, when I attended the committee hearings here in Toronto and through the north, person after person condemned the bill. The miners, the prospectors, developers, aboriginal groups and northern communities all raised their grave concerns about this bill. And of course, in committee, their concerns were not even addressed by the government. Yet there was one group that said they were quite happy with the legislation, that they were consulted and that they were quite pleased, and that was Monte Hummel from the World Wildlife Fund. He was thrilled that the McGuinty government has decided to abandon the north while ignoring the needs of the residents and the people in the north. The Liberal government has abandoned the north for their environmental zealots, who are often at Liberal fundraisers.

This bill, along with its companion bill, Bill 191, creates a climate of instability in Ontario's resource industry and ignores that industry's contributions to our economy. This bill makes the government's disregard for our natural resources sector clear. It paves the way for gross mismanagement of our mining industry and re-

sources by the Minister of Northern Development and Mines.

This bill also creates three classes of citizens in Ontario, each with different levels of protection of the law. This bill tramples upon individual property rights but protects the property rights of the Ontario northland. This bill is worded with hypocrisy and it's spelled out with contradictions. This bill speaks volumes to the Liberals' contempt for justice and their ignorance of democracy. Our common-law principle of equal protection is thrown out their utopian window as this Liberal government peers through it. There are no checks and balances, and there is no justice in this new Liberal meaning of "law." Clearly nobody will argue this: This bill has created different classes of citizens. People in the south, people in the north, people in the far north, their property rights—

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Interjection.

Mr. Randy Hillier: I can hear the member from Algoma interjecting. But I will say this: Five members from the Liberal Party were on that committee, and not one of them spoke about the objections except for the member from Algoma. He was the only mouthpiece allowed from the Liberal Party on this bill.

Mr. Michael A. Brown: You weren't even there two thirds of the time.

Mr. Randy Hillier: I was there all the time.

The Deputy Speaker (Mr. Bruce Crozier): Order.

Mr. Randy Hillier: These concerns and objections were brought to the attention of the committee not only by those who chose to appear, but also by myself and my colleagues from the opposition and the third party. This government refused to listen. They have not made any changes to this legislation. In fact, they have obstructed us each and every time we tried to amend the legislation. As I said, only one Liberal member spoke; often he didn't even attempt to argue because he knows the government does wrong but he was just toeing the party line.

Now they've moved this time allocation motion, pushing this bill forward against the wishes of the people of Ontario. Like I said, it's no wonder this Liberal administration has earned the title of "Canada's worst government" in the Financial Post last week. They think they can just sweep it all under the carpet and that the people of Ontario will forget.

Let me just read a moment from that column: "Every now and then a province falls into the hands of blundering politicians so inept that their government ends up deserving of the title 'Canada's Worst Government.' It's a rare award. At any time somebody has to be the worst, but no award for routine bottom-of-the-barrel performance seems necessary. Occasionally, however, the metric of incompetence is so large and conspicuous it demands special recognition."

Just to let people know, the National Post now is running a contest for others in the country to see if their governments can measure up to Canada's worst government here in Ontario.

Let me just read a couple of things here as well. Jon Baird, talking about the two bills, because they are com-

panion bills, said, "No self-respecting MPP should vote for this." Bill 191 and its sister bill, which apply to all of Ontario, grant massive arbitrary power to the Ontario Minister of Natural Resources and bureaucrats and the Ministry of Northern Development, Mines and Forestry. Rulings are not appealable, no hearings and on and on. No self-respecting MPP should vote for these bills. That's what is being told and heard and seen.

The people of northern Ontario will not forget their lost jobs. They will not forget when the mines close down or when people lose their livelihoods and communities wither on this Liberal legislative vine. This government is managing the demise of northern Ontario, and this is how they've decided to do it: through legislation, by dismantling northern industry, by destroying our resource industry and by abandoning all of the economic opportunities present in the north to this utopian environmental ideal that they have swirling in their Michael-in-Wonderland world.

There can be no denying that the north of Ontario is a place of great natural beauty as well as great opportunity. None of us know what still remains to be discovered in the vast tracts of boreal forest and in the stone of the Canadian Shield, but to talk about the north only in terms of what might be dug up or chopped down and chipped out is not to the point. The resources and wealth of the north are not limited to nickel and iron, gold and diamonds; the wealth of the north is found in our northern Ontario people. The entrepreneurial spirit and hard-working attitude of the people are its greatest strengths and the greatest resource. That's what this government has abandoned and left out in the cold.

This bill doesn't just affect miners and prospectors; it affects the entire north and the resource economy which exists there. It will doom aboriginal groups to generational poverty and force them to live on the dole. Grand Chief Stan Beardy said, "Bill 173 isn't a partnership either. NAN First Nations have great concerns because it does not go far enough to seek proper prior informed consent. It too is a violation of our treaty relationship based on peaceful co-operative partnership agreed to more than 100 years ago." He wasn't consulted.

The Porcupine Prospectors and Developers Association told our committees, "Bills 173 and 191 have been put in place long before they are ready. This was clearly done for political posturing and has nothing to do with full consultation with all parties impacted by such legislation. These bills could be in place for 20 years or more." They weren't consulted.

The Prospectors and Developers Association of Canada told our committee, "It is our recommendation that Bill 173 ... be amended in a number of areas prior to further consideration by the Legislature."

Did this government listen? Did they amend the legislation? Did they fix the problems? The answer to all of that is no. They moved to a time allocation motion, shut down debate in committee and tried to ram this legislation through before anyone notices.

Mr. Paul Miller: It's disgraceful.

Mr. Randy Hillier: It is disgraceful. What this government, this Liberal administration, has done is disgraceful. Their actions are shameful. It's a shameful disregard for industry and the wealth that it brings. It's shameful to abandon the north and its citizens. It's shameful to ignore the northern voters in favour of their downtown Liberal friends. It's shameful to push through flawed legislation when they can do better.

But the interests of serving their party's political agenda trumps the north's concerns. This is an act created by politicians who think that their narrow desires supersede the will of the voters. The people in the north are being abandoned along with our democracy.

We have seen, on and on—the member from the third party was also quite involved in all the discussions—opposition to this bill. Again, we all recognize the need to modernize the Mining Act, but why has the government missed on all the key elements?

They have not come to recognize that municipalities should be sharing in the wealth of our natural resources. If we want to improve our communities' motivations and improve and encourage mining, all the money from mining ought not to end up in Toronto. There should be a share allotted to communities that do have mining in their communities. It should not be just Toronto and the Liberal Party that collect the money. That revenue-sharing can bring an end to conflicts. However, it's lost. This belief that they can protect property rights by the minister not allowing exploration is not actually affirming property rights. He's just saying to the people in southern Ontario, "We will not allow exploration for the time being on your land." Why not come out and say to the people, "We recognize your freedom to peaceful enjoyment of your property and we will protect it. We will protect it within the law, not just by the whim of the minister"?

I'm sure this minister will provide some level of protection for those property owners who don't own the mineral rights, who only have their surface rights. But I'm not sure how long that minister will be in that chair. I'm not sure how long any minister will be in any chair on that side of the House. This is why we protect justice and create justice in law, not just to be at the whim of a minister.

Community participation: It does move in that direction with Bill 191 in the north, but why not community involvement in mining for all communities? We are going to see more and more conflicts, because clearly, the process failed. Real consultation did not happen. As many members at the committee said, we were not allowed to discuss the real questions. We were spoon-fed the questions and had to—and I saw this directly myself in the forestry workshops held by MNDMF last Thursday in Pembroke. Only two questions were allowed to be talked about for forestry. All the other challenges that that industry faces, and they were only allowed to speak about pricing and tenure; they were not allowed to speak about red tape and regulations. This is what happens when you have a failed process, when you do not allow open and

honest discussions—frank discussions—about all of the problems that an industry faces. That failed process ensures that you have a failed outcome.

I do hope that the minister provides that scrutiny on regulations that he's talking about. I don't have a lot of faith that this Liberal administration will do so and give us that assurance and confidence that they will safeguard the interests of the people of northern Ontario and the people of all of Ontario in the backrooms as regulations are crafted up, not by the minister, not by elected representatives, but by people who have purposes other than representing the people of this province. If we want to be honest, these regulations need to come before the House and be clearly investigated by people who have responsibility to their citizens. Otherwise, we will just be back at mining reform once again after another generation of conflicts and problems.

The Deputy Speaker (Mr. Bruce Crozier): Pursuant to the order of the House dated October 6, 2009, I am now required to put the question.

Mr. Gravelle has moved third reading of Bill 173, An Act to amend the Mining Act. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

A recorded vote being required, it will be deferred until after question period today.

Third reading vote deferred.

The Deputy Speaker (Mr. Bruce Crozier): Orders of the day. The Minister of Mines and Northern Development.

Hon. Michael Gravelle: No further business.

The Deputy Speaker (Mr. Bruce Crozier): There being no further business, this House is in recess until 10:30 of the clock.

The House recessed from 1004 to 1030.

INTRODUCTION OF VISITORS

Ms. Lisa MacLeod: Today in the chamber I'd like to introduce the public sector employees' coalition, which is opposed to the HST. They have come here today to talk about a rally they're hosting next week with the New Democrats and the Progressive Conservatives.

Mr. Khalil Ramal: I'd like to introduce Lynn Sveinbjornson from the Canadian Hearing Society from my riding in London. Thank you for coming here today.

Mrs. Julia Munro: I'd like to have all members help me welcome the parents of page Henry Lenz, Dan and Elaine Lenz, and grandmother Muriel Hackett.

Mr. Bill Mauro: I'd like to introduce from Atikokan, in my riding of Thunder Bay—Atikokan, Bud Dickson. Bud is a councillor in the town of Atikokan and wears many hats up there. He's down here for the Quetico Foundation dinner tonight.

Mr. Paul Miller: Shortly, the grade 5 class from A.M. Cunningham in Hamilton will be joining us, and Julie Melanson is their teacher.

Hon. Madeleine Meilleur: Today is Canadian Hearing Society Day at Queen's Park. I'm pleased to introduce Kelly Duffin, president and CEO of the Canadian Hearing Society, Gary Malkowski, a former MPP who represented York East in the 35th Parliament, as well as the delegates in the members' and public galleries who are here today on behalf of the Canadian Hearing Society.

Hon. Michael Gravelle: I want to introduce somebody representing the Canadian Hearing Society from northwestern Ontario. The regional director, Nancy Frost, is here. Welcome, Nancy.

Mr. Jeff Leal: I have the pleasure of introducing somebody who works very hard with the local hearing society in Peterborough. Maggie Doherty-Gilbert is in the gallery right up there. Welcome, Maggie. Good to see you.

Ms. Andrea Horwath: I'd like to welcome members of the yellow shirt brigade from Fort Erie and Port Colborne: Joy Barton, Doris Emerson, Wayne Gates, Anne Kranics, Ida Ortis, June Robinson, Susan Salzer, Pat Schofield, Sylvia Smith and Giselle Tokar, as well as Police Pensioners Association of Ontario representative Jim Garchinski.

Mr. Kim Craitor: I too want to welcome the yellow shirts from my riding of Fort Erie, and some of them are from Port Colborne. They're very passionate, very caring ladies who care about our health care system and, more importantly, I want to say that they are near and dear good friends of mine. So welcome to Queen's Park, ladies.

The Speaker (Hon. Steve Peters): We would like to officially welcome all the guests from the Canadian Hearing Society who are here. Many have been introduced. I too would like to extend a special welcome to Gary Malkowski, who represented York East in the 35th Parliament. Welcome back to the Legislature, Gary.

I would also like to take this opportunity to welcome the strangers to the floor, as you are entitled, and we thank you for providing the interpretive services today. Welcome to Queen's Park, as well.

ORAL QUESTIONS

ELECTRONIC HEALTH INFORMATION

Mr. Tim Hudak: My question is for the Premier. When Dalton McGuinty was Leader of the Opposition, he called for a public inquiry 47 times on at least seven different issues. But when a potential inquiry involves his scandal, his waste of 10 times more money than the sponsorship scandal, we see a different Dalton McGuinty entirely. Premier, why are you suddenly against public inquiries when it involves the name Dalton McGuinty?

Hon. Dalton McGuinty: My honourable colleague continues to express his ongoing dissatisfaction with the work of the auditor. I embrace that report. And as I've said many, many times, we'll adopt every single one of the recommendations.

Mr. Speaker, I think there's something else that I should draw to your attention to be found in the auditor's report. There is in fact a chart on page 26; it comes from Canada Health Infoway. It talks about the degree of completion of projects through eHealth. It says that when it comes to client registry we are 95% to 100% complete; diagnostic imaging system, 95% to 100% complete; clinical reports or immunization, 95% to 100% complete. A lot of the work has been done. There is more to be done and we look forward to doing it.

The Speaker (Hon. Steve Peters): Supplementary.

Mr. Tim Hudak: When Dalton McGuinty was Leader of the Opposition, he called for public inquiries more often than he sent out for pizza. But nothing could make a more compelling case today than a \$1-billion boondoggle that accomplished nothing for Ontario families and gave out sweetheart deals to Liberal-friendly consultants. This certainly is not the same Dalton McGuinty whom people thought they were voting for back in 2003; this is a Premier who refuses to give up his dirty secrets. Premier, why are you refusing to shine a light on the people who fleeced Ontario taxpayers for hundreds of millions of dollars?

Hon. Dalton McGuinty: I think it's also important to note another finding in the auditor's report. The opposition insists that taxpayers received no value whatever for the investment they made in the eHealth system. Of course, the auditor found otherwise. He says the following: He makes reference to the network and the two data centres—

Interjections.

The Speaker (Hon. Steve Peters): I'm finding it extremely difficult to hear the answer. I trust that the opposition members would like to hear the answer as well.

Hon. Dalton McGuinty: I think we always have an interest in this House in reliable information, and I have more here. The auditor makes reference to the network and the two data centres that underpin the electronic health records, and he says, "As of December 2008, the data centres housed an estimated 1,300 servers, and the network connected some 3,500 clients. Clients include all Ontario's public hospitals, public health units, community care access centres, and retail chain pharmacies; many of the province's continuing care organizations; and some physician offices." Much work has been done.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Tim Hudak: Now the Premier has suddenly changed his tune to where his \$1-billion boondoggle was a good thing. Well, Premier, why don't you tell the people here from Fort Erie and Port Colborne who have seen the services at their hospitals cut and their ERs closed? This is a Premier who mocks accountability each and every day by standing by his right-hand man, George Smitherman, who presided over \$837 million flushed down the drain. As we know, only the Premier can call an inquiry into this matter. The Premier had previously called for inquiries on 47 different occasions. Premier,

when will you call an inquiry, or will you continue to be a hypocrite?

The Speaker (Hon. Steve Peters): I ask the honourable member to withdraw the comment, please.

Mr. Tim Hudak: Withdrawn.

Hon. Dalton McGuinty: I think it's fair to say that the leader of the official opposition and I see things differently on this particular score. I continue to have a great deal of confidence in the auditor and his findings. I'm not sure I can make it any more clear than to say the following: We accept all the findings. We will adopt each and every one of the recommendations. I would recommend to my colleague that he also accept the report in its entirety, where it says there was no evidence of fraud or criminal activity, where it says that there was no evidence of party politics.

Yes, there was an absence of sufficient oversight. We accept that. He goes on to say as well—

Interjection.

Hon. Dalton McGuinty: I hear my honourable colleague opposite. I encourage him to read the report as well.

He goes on to say that in fact there was a tremendous amount of work that had been done. There is more work to be done and we are committed to finishing the job.

1040

ONTARIO ECONOMY

Mr. Tim Hudak: Back to the Premier: Premier, at the end of September, you said that you needed to run a record deficit of \$18.5 billion to stimulate the economy. We know \$1 billion of that went to stimulate Liberal-friendly consultants. Premier, that was three weeks ago. How much deeper is the actual deficit really going to be?

Hon. Dalton McGuinty: I look forward, along with my honourable colleague, to the fall economic statement, which will be presented in this House tomorrow. What I can say, though, is that there is a significant deficit. I think Ontarians anticipate that and understand why we find ourselves in these circumstances.

Ontario has been affected by a powerful global economic recession. We have been part of the international response. Whether you're talking about the OECD or the IMF or even the government of Canada itself, in a concerted effort, we have acted to stimulate the economy, to invest in infrastructure and to create jobs right now, while we need them. That was a huge contributing factor to the size of the deficit.

We're doing it for the right reasons, which is the same reason why we'll put in a plan to address the deficit over the long term—because that's also the right thing to do.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: Quite frankly, Premier, no wonder you've been dubbed the worst government in Canada.

Premier, your runaway spending on billion-dollar—

Interjections.

The Speaker (Hon. Steve Peters): The Leader of the Opposition.

Mr. Tim Hudak: Premier, your spending on billion-dollar boondoggles at eHealth has saddled each and every household in Ontario with \$11,000 in new debt. Dalton McGuinty is a lot like the contractor who gives an estimate of \$10,000 to do a home renovation, but ends up charging you \$25,000 once he's there—and the place looks worse after he's done with it. Premier, how much more debt are you going to put on the backs of Ontario families?

Hon. Dalton McGuinty: Speaker, you will not be surprised to hear that I just don't find that's particularly helpful.

I think we should use the metaphor used by the auditor in his report. He said that we have been building a highway. That highway is largely completed. Where there is still more work to be done, it consists of putting the cars and trucks in place that can deliver information back and forth along that new infrastructure. That's what he has said.

There's been a significant investment that has been made in this highway, so to speak—

Interjections.

The Speaker (Hon. Steve Peters): This is making it extremely difficult to hear, and I would just ask the members to have consideration for our guests who are here, who also would like to ensure that they understand what's happening in these proceedings today.

Premier?

Hon. Dalton McGuinty: Just to finish, the fact of the matter is that there has been a significant investment in the foundation for our electronic health record. I think Ontarians understand why it's so important that we finish this work. It will introduce new efficiencies in the health care system, but more importantly, it will provide better health care for our families. That's why we're going to keep moving ahead.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Tim Hudak: Ontario families now know where your highway is taking us. It's taking us to have-not status and the biggest debt level in the history of our province.

The Premier has increased Ontario's net debt by \$53 billion in just six years, saddling each and every home in our province with \$11,000 in debt. The Premier has everyone paying higher income taxes, higher fees, higher auto insurance, higher tuition, higher hydro, and the list goes on. We're seeing emergency rooms close down in communities like Fort Erie and Port Colborne—less time with the kids, less time with their family and less money in their take-home pay.

Premier, how much longer and how much harder will Ontario families have to work to pay down your record debt?

Hon. Dalton McGuinty: I want to take this opportunity to say to Ontarians that it's been a tremendous privilege serving as leader of their government and to thank and congratulate them for the work that we've been able to do together.

The fact of the matter is, we have more schools and more hospitals, we have more doctors, we have more nurses, we have more teachers and we have shorter wait times. We have more MRIs. We have higher test scores. We have higher graduation rates. We have more land than ever before protected and set aside for future generations to enjoy this wonderful, natural environment that we have in the province of Ontario.

Unlike my friend opposite, I remain very optimistic about the future of the province and have every continuing confidence in the people of Ontario to rise to whatever challenge that they might—

The Speaker (Hon. Steve Peters): New question.

GOVERNMENT SPENDING

Ms. Andrea Horwath: My question is to the Premier. While this government sat back and allowed a billion dollars to go out the door, health care services have been on the chopping block. Now, the finance minister is hinting that more cuts are on the way, and I shudder to think what this is going to mean for communities across this province.

Does the Premier understand that his health care cuts are already hurting families, or is he more concerned with keeping the door wide open for his million-dollar-a-day consultant feeding frenzy?

Hon. Dalton McGuinty: I'm always pleased to take the question. As my honourable colleague knows we are in fact making great strides forward when it comes to reducing the number of consultants we are using. It's down by 34% in contrast to 2003.

My honourable colleague also knows that every year, year over year, we have increased our funding levels for health care in the province of Ontario. Hospital funding has gone up by 42%. I stand that in contrast with the increase to the cost of living over the same period, 11%. The facts are, consultants are coming down and funding levels continue to go up.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Today in the gallery are residents from Fort Erie and Port Colborne. Last month, their emergency room was closed. People in Fort Erie know the impact of cuts to health care because they're living with the consequences each and every day. They now face potentially life-threatening travel times to surrounding hospitals that were barely coping before the influx of new patients that is coming their way.

With a billion dollars gone, with consultants still making more than a million dollars a day and with health bureaucrats' bloated salaries being hidden, what does the Premier have to say to the people of Fort Erie?

Hon. Dalton McGuinty: To the folks here from Fort Erie, I welcome them to Queen's Park. I can say that their commitment to the best possible health care in the community has been nothing short of inspirational, and I thank them for the work they have done.

We've been working hard with the local community, with our partners in the Niagara region. We've worked

with the mayor of Fort Erie, Doug Martin, the local emergency system and doctors who are supportive of the plan that we are putting in place. What we're saying essentially is that 97% of the folks who are going to the Douglas Memorial now will be able to continue to go there in the future, but 3% of the folks whom we cannot manage at the optimum level in terms of quality of care are going to have to move on—

The Speaker (Hon. Steve Peters): We welcome, as always, all of our guests to the Legislature. Just stop the clock, please. We ask that you observe and, as much as you may wish to participate in the debate, you need to be elected to participate in the debate. So, I would say that nodding your head one way or another is not helpful, and I just ask that you be conscious of that. Thanks.

Hon. Dalton McGuinty: People feel strongly about their hospital and their health care in their community, and I understand that and I respect that. But I must say that we've been working long and hard with the community to put in place the best possible health care, we've relied on the best local advice that we can, and we're confident this will improve quality care within the community.

1050

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: Ontarians are already seeing the cuts, those from Niagara region and elsewhere across the province; they know that more cuts are on the way. The Premier needs to come clean. He needs to be upfront and tell us what else he is planning to cut. But he also needs to tell us how he'll rein in consultant contracts, how he'll end the waste, how he'll stop the excesses in compensation in this province. Will he look at the people from Fort Erie right now and tell them how?

Hon. Dalton McGuinty: Just so we have a few facts with respect to what's happened in the Niagara health system, there has been more than an \$88-million increase in funding since 2003; that's a 43% increase. There is a \$60-million increase in the Hamilton Niagara Haldimand Brant LHIN towards a three-year local aging at home strategy. Something that is really important is the new Niagara Regional Cancer Centre, which is going to save folks in Fort Erie the drive all the way to Hamilton. I would think this is a tremendous source of pride in the regional health system as it grows ever stronger.

I know and I understand that there are always concerns when there are these kinds of changes that are made in your own community, but we have worked with the best professionals, relied on the very best advice, and our intention remains to improve the quality of care within the community itself.

TAXATION

Ms. Andrea Horwath: My next question is to the Premier as well. Yesterday, the Minister of Finance cryptically implied that people should expect more cuts to public services. Today, the public sector retiree coalition,

a group of retired police officers and municipal employees, announced an HST protest that's going to take place here at Queen's Park next week. Their concern: higher costs on everything from hydro to condo fees.

How can this Premier tell pensioners to pay more and expect less?

Hon. Dalton McGuinty: To the Minister of Revenue.

Hon. John Wilkinson: Next year, when we permanently cut income taxes for people, we will honour the contributions our seniors have made to this great province by taking special care and ensuring that it's our seniors who will receive the most benefit from our proposed tax cuts.

The first thing that we're doing for some 93% of Ontarians is permanently cutting their taxes by lowering the income tax rate on the first \$37,000 worth of income. Beyond that, seniors of modest means, particularly seniors on fixed incomes, received today, some of them, the GST rebate. That is going to be more than doubled. We're also increasing the property tax credit as well, and for seniors we're more than doubling it, because we feel the best way to honour our seniors and the contribution they've made to this province is to ensure that those tax cuts that are coming to people in Ontario are targeted particularly to seniors. It's our way of honouring the contribution that they have made to our province.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: You know, this minister knows very well that for every dollar raised off a consumer's back, only 18 cents are going back in tax cuts. That's the fact. This government seems to have all the money in the world when it comes to the chosen few: a million dollars a day for consultants, hidden bonuses for senior staff, a billion dollars in tax cuts to business. But for everyone else, like retired police officers and firefighters who put their lives on the line for years and years in this province: a new tax and more cuts. How can the Premier justify asking people to pay more and get less?

Hon. John Wilkinson: Perhaps the member wasn't listening to my response. It must be the new math, but I know that seniors understand the old math.

Interjection.

Hon. John Wilkinson: What we are doing is taking all of the money that—

The Speaker (Hon. Steve Peters): I just ask the honourable member from Nepean to withdraw the comment, please.

Ms. Lisa MacLeod: Withdrawn.

Hon. John Wilkinson: It's important that seniors understand that under our tax reform package, as we modernize our tax system so that we compete and win for jobs in the 21st century, we are taking the money that's raised by sales tax and permanently cutting income taxes for people. There is no group in the province of Ontario that we will honour more with our tax cuts than our seniors, who have contributed to this great province that we have.

As I was saying, we are permanently cutting income taxes on the first \$37,000 worth of income. We'll have

the lowest personal income tax rate of any province in this country after we finish—

The Speaker (Hon. Steve Peters): Thank you. Final supplementary.

Ms. Andrea Horwath: I think someone around here said, “Nobody’s buying it,” and that’s the truth. Nobody is buying it. As the Premier stumbles around to rationalize million-dollar-a-day consultant costs, he tells the people to brace themselves for cuts—cuts to health care and cuts to education in this province. Meanwhile, he’s plowing ahead with a job-killing—job-killing—new tax that will make life less affordable for the people in this province, for middle-income Ontarians and everyone else. People are being told to pay more and to expect less.

How can the Premier justify this massive tax on the backs of people who most need a break right now?

Hon. John Wilkinson: I would say, particularly to the seniors, that there is a wonderful public service provided in the province: quality public health care available to everybody. There is no one who counts on that more than our seniors.

They understand that despite this global recession, the most important thing we can do is get people back to work. We need people working. That is the greatest assurance that we can have that we will be able to maintain our high-quality public services. So we’ve taken a step to ensure that Ontario and our businesses are going to be competitive so they can hire people.

It’s exactly those people who want to have a brighter future who are willing to make that sacrifice, who are going to pay the taxes to ensure that we can keep our covenant with seniors, that we will continue to provide high-quality public service, particularly universal health care, in this province for all seniors. We know that they appreciate that. When I was talking to my own mom and dad about this, and I was able to explain to them the tax cuts that they will receive, they said, “Well, that’s amazing”—

The Speaker (Hon. Steve Peters): Thank you. New question.

ONTARIO ECONOMY

Mr. Norm Miller: My question is for the Minister of Finance. Minister, three weeks ago, you confidently stood in the House and said this year’s deficit would be \$18.5 billion. Yesterday, at a speech to the Canadian and Empire clubs, you hinted that deficit would be worse than you forecasted just three weeks ago. The minister’s remarks away from this House shows he is more committed to selling a PR scheme for his record deficit than stopping it at \$18.5 billion.

Minister how many more billions did you add to the deficit in just three short weeks?

Hon. Dwight Duncan: I thank my colleague opposite for the question. He will recall that a year ago, when I announced that we were looking at a deficit in order to sustain our public services and to invest in jobs for people, we indicated that it would continue to grow. That

week the Prime Minister of Canada, for instance, said he saw surplus budgets well into the future. We have seen a global downturn. We’ve seen the government of Canada, for instance, go from surpluses into the future to a \$55-billion deficit, and that may well grow yet. We’ve seen that in British Columbia, Alberta, Manitoba, Great Britain, the United States, Germany, Japan, China. We invested in stimulus—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Norm Miller: Minister, we’re talking about three weeks. In three weeks, we’ve seen a government that is too distracted with scandals to manage economic recovery. The auditor revealed the McGuinty Liberals wasted a billion dollars on eHealth. Freedom of information revealed that Cancer Care Ontario was used to hand Courtyard another \$18 million. The Ontario PC caucus revealed millions of dollars in budget overruns on the Windsor casino expansion and \$80 million wasted on an energy centre. It’s no wonder the McGuinty Liberals are described as “Canada’s worst government.” Why should taxpayers give this distracted, scandal-ridden, out-of-touch government billions more?

1100

Hon. Dwight Duncan: We have responded to the worst global downturn since the Great Depression. We followed the advice of the International Monetary Fund.

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock. If you want to have a debate, I appreciate that you debate in the chamber, but I need you to go through the Chair. If not, I would encourage the Minister of Economic Development and Trade and the honourable member from Simcoe—Grey to go outside and have the discussion there.

Interjections.

The Speaker (Hon. Steve Peters): I apologize for that, because the Speaker should not be causing disorder in the House.

Minister?

Hon. Dwight Duncan: We have continued to turn our attention to the serious challenge with employment for Ontarians throughout Ontario by investing \$32.5 billion in infrastructure over two years and by maintaining the size of the public service. We think it’s wrong to lay people off at this time. We think it’s wrong to do those kinds of things that will harm the economy.

These are difficult times that are faced around the world. Governments around the world are facing larger deficits than any of them would want.

We’ve taken those decisions. We will make the right decisions to get Ontario through this. We will be bigger, we will be better and we will be stronger when we’re done.

ASSISTANCE TO FARMERS

Mr. Michael Prue: My question is for the Minister of Finance. The Ontario Association of Food Banks and Ontario farmers need your help. Even while there are

140,000 children in our province who live in a home without enough food, there is an abundance of fresh, surplus, local food available at Ontario's farms that is ploughed back into the soil or sent out for disposal. Farmers and food banks are asking for a farm tax credit to offset their much-needed donations of fresh food to our poorest families. Minister, will you implement this tax credit in your next budget?

Hon. Dwight Duncan: There are enormous challenges to ensuring that we feed all of the people of Ontario. That's why I was delighted when Gail Nyberg of the Daily Bread Food Bank endorsed our government's policy of tax cuts for low-income people. That's why I'm glad that Hugh Mackenzie and others associated with the New Democratic Party have urged your leader to back off on the things you're saying that will harm the poorest.

With respect to tax policy, we consider any number of options in any given year. I remind the member opposite that we doubled the seniors' property tax credit; he voted against that. We've created the largest sales tax credit in Canada; he voted against that. He voted against a number of measures that the Ontario Federation of Agriculture endorsed in our budget. But—

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock. I have allowed the clock to run when the noise is so loud from the opposition side. The clock will run. But if I continue to get interjections, I will stop the clock. We have lots of time. Some of you can be late for your meetings. But I think it's important. Question period is extremely important to the people of Ontario, and I think we collectively owe it to them to allow questions to be asked and answers to be given as well.

Minister of Finance.

Hon. Dwight Duncan: We consider any range of options with respect to tax measures—those are normally dealt with in the budget—and we will continue to consider those sorts of things as we move forward through these challenging times.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Michael Prue: Thousands upon thousands of families are struggling to make ends meet during tough economic times. In the first three months of 2009, demand for food banks has skyrocketed by 20% annually, and the procurement of fresh food is very difficult for all of these people. An estimated surplus of over 25 million pounds of fresh fruits and vegetables in Ontario that is currently ploughed back into the soil or sent for disposal, could provide nutritious meals for 350,000 of our poorest citizens who are forced to turn to food banks each month.

The solution is very simple: Are you on board or are you not on board? Will this government commit today to implement a tax credit for farmers and food banks so that people can have decent and nutritious food?

Hon. Dwight Duncan: Here's what the Daily Bread Food Bank said about what our government did in its last budget. It said, "If you're a low-income Ontarian this is a positive budget, and I congratulate the government on

recognizing that you can fight poverty and stimulate the economic scene at the same time." That member and his party are voting against those measures. You're voting against the increase in the child benefit. You're voting against—let's talk about farmers. The member opposite does not want us to allow farmers to no longer pay sales tax on trucks, on light vans and parts, furniture, lawn mowers, computers, office supplies, freezers and equipment. The member opposite has voted against a range of stimulus packages. He wants to have it both ways, and he can't. He needs to be consistent, he needs to be clear and he needs to be straightforward.

IMMIGRATION POLICY

Mr. Bas Balkissoon: My question is for the Minister of Citizenship and Immigration. An article in the *Toronto Sun* titled "Immigration Bad for Us" goes on to highlight how newcomer policies are flawed and that Canada is changing for the worse as a result of mass immigration. This article was written in reaction to a book published by the Fraser Institute titled *The Effects of Mass Immigration on Canadian Living Standards and Society*. The publication provides an assessment of the negative impact of immigration on Canada in recent decades. It concludes that immigration has been harmful to our living standards and is challenging the country's existing national identity, culture and social fabric.

These viewpoints are in stark contradiction of the beliefs and actions of the McGuinty government. Should folks in my constituency of Scarborough–Rouge River, one of the most diverse in the country, be concerned over the development of these so-called findings?

Hon. Michael Chan: I want to thank the honourable member from Rouge River. I am aware of the findings made available by the Fraser Institute. I flatly disagree with the findings. The suggestions are absurd, narrow-focused and downright backwards. Our national identity is stronger because of immigration, our culture is more vibrant because of immigration and our social fabric is more intact because of immigration.

In Ontario, we are committed to a clear vision for newcomers, a vision that is open, inclusive and equal. We understand that immigration is fundamental to our social and economic well-being. Residents of Rouge River and communities across Ontario can rest assured that our government welcomes newcomers with open arms.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Bas Balkissoon: The article goes on to quote a James Bissett, a former executive of the Canadian Immigration Service, as saying, "Reasons with which Canada justifies its high immigration intake are simply not valid." The publication speaks for a model of a Canadian society based on a rethinking of the Canadian policy on multiculturalism: zero net immigration and limited government intervention.

It's ironic that we are having this discussion during national Citizenship Week, a week where we celebrate all

the things that the findings suggest we should undermine. The Ontario I know cherishes and values the contribution of all its citizens, including newcomers. Could the minister inform the House about the work this government is undertaking to ensure that all newcomers continue to play a vital role in building our communities across Ontario and across Canada?

Hon. Michael Chan: I want to tell you who I agree with. I agree with Naomi Alboim and the Maytree Foundation. I agree with their report on fixing Canada's economic immigration policies. I agree that it is essential to grow our population base, achieve labour market growth and contribute to innovation. I agree with them that during the current economic climate, Canada needs a robust, competitive immigration system that will contribute to our society. We'll take advice from the Maytree Foundation, not from the findings or the publications of the Fraser Institute.

This is why we are investing in our newcomers and investing in new settlement services: language training, bridge training and others. Allow me to repeat: Ontario—we are open, inclusive and equal.

1110

ELECTRONIC HEALTH INFORMATION

Mrs. Christine Elliott: My question is for the Premier. The McGuinty Liberals wasted a billion dollars of taxpayers' money on eHealth with nothing to show for it. But—

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock. The honourable member just got up to ask the question. She was not even up five seconds and the interjections were coming across the floor—and it goes both ways. I just ask that we try and be respectful to one another and allow these questions to be put.

Please continue.

Mrs. Christine Elliott: But when the public interest calls for an inquiry, Premier McGuinty calls it “gamesmanship,” and acts as though he soars above the political fray. If he is as committed to the greater public interest as he says he is, then we need to see him put his money where his mouth is. My question is, how much of the billion dollars wasted in the eHealth scandal has Premier McGuinty ordered the Liberals to pay back to Ontario taxpayers?

The Speaker (Hon. Steve Peters): I would just ask the honourable member to withdraw that last comment, please.

Mrs. Christine Elliott: Withdrawn.

Hon. Dalton McGuinty: Again, I'm just one of those who believes that the facts are important, and I want to return to the facts. My colleagues opposite have difficulty accepting the findings of the auditor. But one of the things I'd ask them to turn their minds to is—there's this chart I referenced to earlier. It comes from Canada Health Infoway. They assessed the jurisdictional progress on electronic health deliverables as of March 31, 2009.

They said that when it comes to the client registry in Ontario, we are 95% to 100% complete; when it comes to the diagnostic imaging system, we are 95% to 100% complete; and when it comes to clinical reports for immunization, we are 95% to 100%.

Again, I would encourage my friends to understand that there has been a tremendous amount of work done, a strong foundation has been laid, and we look forward to continuing to build on that.

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Christine Elliott: Well, despite what the Premier is saying, the Auditor General has indicated that hundreds of millions of tax dollars were wasted in this, with nothing to show for it. Now, the Premier has indicated that he accepts the auditor's finding that Ontario taxpayers did not receive full value for money and the untendered contracts that Minister Smitherman, Management Board, and the Premier's hand-picked CEO gave to Liberal friends, but he hasn't recovered any of that lost money. He hasn't fired Minister Smitherman for spending \$837 million on what he called “a cesspool.” So what is the Premier going to do to get the money wasted by Minister Smitherman back?

The Speaker (Hon. Steve Peters): I would just ask the honourable member to withdraw a comment that she made in the first part of her question.

Mrs. Christine Elliott: Could you clarify, please?

The Speaker (Hon. Steve Peters): You left the impression that something was given to somebody. I just ask that you withdraw that.

Interjection.

Mrs. Christine Elliott: I withdraw.

The Speaker (Hon. Steve Peters): Thank you.

Hon. Dalton McGuinty: I will allow my colleagues to speculate, interpret and to interpolate, but I'm going to stick with the report itself, because I think the findings in there, the specific wording, are really important. With respect to the work done, I want to repeat the finding of the auditor. He said that when it comes to the network and the two data centres that underpin the electronic health record, as of December 2008, the data centres housed an estimated 1,300 servers and the network connected some 3,500 clients. Clients include all of Ontario's public hospitals, public health units, community care access centres, retail chain pharmacies, many of the province's continuing care organizations and some physician offices.

Again, the facts are—I'm not interpreting, and I'm not speculating; I'm just sticking to the report—we have laid a strong part of the foundations when it comes to the Ontario health record.

AUTOMOBILE INSURANCE

Mr. Michael Prue: My question is again to the Minister of Finance. All across this province, frustrated Ontario drivers are up in arms. At the same time that many are getting double-digit increases in their premiums, it appears that this government is going to cave to powerful

insurance insiders and slash insurance payouts for non-catastrophic injuries by 75%.

Minister, when will this government stop caving in to every demand of the private auto insurance industry, draw the line on rate increases and fundamentally rethink a system that every driver and every consumer knows just doesn't work?

Hon. Dwight Duncan: We will be introducing a number of reforms very shortly as a result of the five-year review of auto insurance premiums.

There's no doubt that consumers are concerned about recent increases, as is the government. It's an important issue for many people. They have to have insurance; we compel them to. It's incumbent on us to provide the right regulatory climate. I remind the member opposite that premiums do remain below where they were when we took office. We are working hard to ensure that, moving forward, we continue to ensure the proper regulatory climate and the proper industry situation to ensure that people who purchase auto insurance continue to benefit from rates that don't go up beyond the rate of inflation. I'll be bringing those changes forward very shortly.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Michael Prue: I'm glad the minister wants to bring them forward because he promised to bring them forward in June, in July, in September, and we're now mostly finished October.

Here are the facts: Double-digit rate increases are hitting drivers province-wide, and for some Toronto-area drivers, rate increases could total 30% or more—

Interjection.

The Speaker (Hon. Steve Peters): I just ask the honourable member from Essex—I believe that came from him—to withdraw his comment.

Mr. Bruce Crozier: I'll withdraw that.

Mr. Michael Prue: Any day now, this government will cave to insurance-industry pressure to reduce the cap on medical and rehabilitation costs for non-catastrophic injuries to \$25,000 from \$100,000.

Minister, it doesn't have to be this way. There are—
Interjection.

The Speaker (Hon. Steve Peters): I didn't hear where that comment came from, but it's not appropriate to continue to throw comments like that across.

Please continue.

Mr. Michael Prue: Minister, it doesn't have to be this way; there are other options available. Will this government launch a full-scale review of Ontario's badly broken auto insurance system? Will it take a serious look at the public auto option that has so successfully served the drivers of Manitoba, Saskatchewan, BC and Quebec for decades?

Interjection.

Hon. Dwight Duncan: As rich as it is to respond to that, I want to begin by acknowledging how important insurance premiums are to working families. That's why we have worked hard to keep them down, and that's why we will be bringing forward a package shortly that we believe will assist in that.

These are always challenges, as the member knows full well. Even his own government pledged to do public insurance then backed down on that. He'll also remember that premiums went up 20% between 1993 and 1995. He'll know that they increased premiums three times when they were in office. They abandoned the commitment on public auto insurance for a variety of reasons.

This is always a challenging issue. This government, this party, remains on the side of working families. We'll do our best to help them manage their auto insurance premiums so that they can continue to be affordable.

ECONOMIC DEVELOPMENT

Mr. Yasir Naqvi: My question is for the Minister of Research and Innovation. The high-tech economy and creating good jobs in the technology sector are incredibly important in my community of Ottawa and to my constituents of Ottawa Centre. Not only is this a major regional industry and employer for our community, but it is also exactly the type of industry we need to foster in Ontario for the 21st century. New technologies and applications will revolutionize the way our lives and our commerce are conducted. There is a huge amount of economic gain to be had if Ontario is at the forefront of that enormous new market.

Minister, I know you understand the absolute necessity of our economy embracing the 21st century, and I know you are working hard to ensure we, as a government, make smart investments in emerging technologies and the high-tech sector for Ontario's future prosperity and competitiveness. Could you tell my constituents what we are doing to make sure that Ottawa and Ontario are at the forefront of the new innovation-based economy?

1120

Hon. John Milloy: I was very pleased a number of weeks ago to join my colleague the Minister of Economic Development and Trade at a round table with leaders of the high-tech community in Ottawa that was organized by the Minister of Municipal Affairs and Housing and his other caucus colleagues. At the end of the session, I was pleased to help announce \$9.3 million to support a \$44-million initiative called the Coral CEA. The Coral CEA will support Ontario companies that want to compete for part of the growing demand for a technology known as communication-enabled applications, or, as they're known in a short form, CEAs.

This initiative is expected to create 200 new high-tech jobs and strengthen Ottawa's technology community. CEAs are software applications that enable different technologies to communicate with each other, potentially creating smart systems that can analyze information—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Yasir Naqvi: My supplementary is for the Minister of Economic Development and Trade. Minister, you might know that for decades now, Ottawa has been referred to by the high-tech industry and proud residents alike as Silicon Valley North. This nickname is a tribute

to our talented and innovative technology sector, which has historically rivalled the best technology clusters in the world. Above all, my community wants to ensure that we will continue to thrive as one of the top jurisdictions for companies and entrepreneurs to create, develop and produce the things the modern world wants and needs.

But many in my community are concerned. We are worried that the technology industry in Ottawa is facing decline. With the demise of Nortel, which had been one of the cornerstones of the Ottawa technology foundation, the perception is only growing that perhaps the best days are behind us. Minister, what is our government doing in light of these challenges to ensure Ottawa continues to be known the world over as Silicon Valley North?

Hon. John Milloy: Minister of Economic Development and Trade.

Hon. Sandra Pupatello: I very much appreciate the question. This member also knows that we participated in the microelectronics conference in Ottawa again this past Friday. It is heartening to see these companies, many of them Ottawa-based, which are thriving, which are recognizing that our challenges are of a global nature. That means we have to take on the world.

The Ontario government is there to reach out and help them to do this. We are giving them significant business tax relief, and have been doing so for the last three years. In addition, we're helping with some incentive programs that our IT sector is taking advantage of. So 284,000 people working in this sector across Ontario have much to look forward to, because our cluster for IT, against all of North America, is the third largest, and we're moving up.

MUNICIPAL FUNDING

Mr. Bill Murdoch: My question is to the Minister of Municipal Affairs. It has been brought to my attention that next year you're going to fully implement the OMPF grant that was designed about three or four years ago, where the Minister of Municipal Affairs has always topped up the municipalities that were going to be affected. A lot of them in rural and northern Ontario were going to be devastated, some with an up to 20% increase in their taxes. Now it has been brought to our attention that next year you will be implementing this fully. I want to remind the minister that it's his job to protect the municipalities, to keep them away from the Ministry of Finance. Also, it's not up to the municipalities to pay for the \$1-billion boondoggle.

My question to the minister is, will he leave it alone next year and top it up again and then phase it in over five years? A lot of municipalities have asked you to do that. Will you do that, Minister?

Hon. Jim Watson: I'm happy to take the question, and I thank the honourable member for the question.

The Ontario municipal partnership fund, or OMPF, does fall under the jurisdiction of the Minister of Finance, but I can confirm to the honourable member that in 2009 we provided \$949 million through OMPF grants

and also as a result of the uploading of the Ontario drug plan and the administrative costs of the Ontario disability support program. This combined benefit is a \$105-million, or 12%, increase over 2007's OMPF grant and a \$330-million, or 53%, increase over the old community reinvestment fund. I think many of us who served in municipal government remember the old CRF—it was not fair or transparent. The OMPF is much more transparent and more understandable to the municipal sector. We've been there to help the municipal sector in the past, and we look forward to working with them in the future.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. John Yakabuski: My question is obviously also for the Minister of Municipal Affairs and Housing respecting the ending of the mitigation funding as well. We don't need a mathematical dissertation; we need an answer.

In my riding, in the county of Renfrew nine municipalities will take a hit totalling over \$4 million if this issue is not resolved. As one example, the township of Admaston/Bromley, with a total tax levy of \$864,000 will lose \$268,000 if this issue is not addressed. This is not new to the minister. AMO and the Eastern Ontario Wardens' Caucus and the county of Renfrew have written you, the Minister of Finance and the Premier to no avail.

This situation is unacceptable. It will leave municipalities bankrupt. Will you commit to postponing these changes until a fair and equitable arrangement can be made with municipalities and not leave them hanging by a thread as a result of your mismanagement?

Hon. Jim Watson: I think every member of this Legislative Assembly will acknowledge the work that this government has done to increase funding for every municipality across the province of Ontario. As a result of the uploads for which our government signed an agreement with AMO and the city of Toronto a year ago this month, Renfrew will be ahead by \$5.9 million, net dollars.

Every single year for the last four years, we have committed to mitigation funding, but when we signed the AMO agreement a year ago this year, we committed to one more year of mitigation, and the Minister of Finance undertook that he would do a review in conjunction with AMO. That review is being undertaken now.

But I can tell you also that in the honourable member's riding, the city of Pembroke will be ahead \$2.6 million. So there is more money going to the municipal sector. We're proud to partner with them, and we look forward to working with them in the future.

FULL-DAY KINDERGARTEN

Ms. Andrea Horwath: My question is to the Minister of Education. My niece is here with her classmates from A. M. Cunningham school in Hamilton. Her name is Sarah Benvenuti.

Today is early childhood education appreciation day, as most members in this chamber know, and it's an ideal

day to hear more about the government's timetable for implementing full-day learning for children in Ontario.

Will the minister assure us today that the McGuinty government will fully implement all the recommendations in Dr. Pascal's report and tell us when we might be able to expect her announcement in this regard, or will it fall victim to a new round of government belt-tightening?

Hon. Kathleen O. Wynne: I want to welcome all the students here today. It's wonderful to have you in the chamber.

I want to assure everyone that we are committed to implementing full-day programming for four-year-olds and five-year-olds. We've been very, very clear about that. It's a huge opportunity to make sure that our youngest students get the enriched environment they need, that we have the best learning resources available for them.

We know that, given the economic circumstances, we may not be able to do everything at once, but what we also know is that the education sector and parents and the community know that moving on this is more important than an ideological rigidity about complete implementation instantly. What's important is that we get started and we make sure that children in this province have the resources they need—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Ms. Andrea Horwath: I'm sure Charles will be happy to know that you think he's an ideologue, Minister. The minister's response does nothing to build confidence in the government's commitment to full implementation of Dr. Pascal's report. Parents and educators, child care providers and school boards all want to know when the government will announce the full rollout of all the recommendations in the Pascal report. We, for one group in this Legislature, actually believe they deserve an answer.

With all the government talk of cuts and belt-tightening, will this minister also commit to maintaining the stability of Ontario's existing not-for-profit child care centres as the implementation proceeds?

1130

Hon. Kathleen O. Wynne: We're going to begin rolling out the full-day learning for four- and five-year-olds in September 2010. We are committed to that; that's what we're going to do. I just have to say that it has been known for a very long time that early childhood education is very important and that the education system needs to be involved.

We have done more for education in the six years—it seems to me that the party opposite was in office at a time when it was clear that early childhood education was important, and this program was not implemented. We're going to begin September 2010. We've been very clear about that and we're working closely with the child care sector. I've been working with Minister Matthews before and Minister Broten now; we're very cognizant that the education system and the child care system need to be working together. We're going to start in September 2010. It is a great opportunity for Ontario.

TOURISM

Mr. David Zimmer: My question is for the Minister of Tourism. The economic downturn is a huge concern for tourist operators in the province and the GTA. Tourism has its own very special set of economic challenges which affect the province and the city of Toronto. Fewer US travellers visited the province because of the fluctuating dollar, the state of the economy and confusion over passport requirements. Minister, what are we doing to help this vital industry here in Ontario and the GTA?

Hon. Monique M. Smith: I want to thank the member for Willowdale. As he mentioned, our tourism sector across Canada has faced a number of challenges over the past few years, including the high dollar and the economic downturn worldwide. At the same time, our government has recognized the importance of tourism and we've continued to invest in tourism opportunities across the province.

A few weeks ago I attend the Scotiabank Nuit Blanche Pre-Nuit, which was an event here in Toronto. I am pleased that the McGuinty government has invested \$350,000 to help Scotiabank Nuit Blanche enhance and market their event. This free event, which took place over the weekend of October 4, featured three exhibition zones across Toronto. It hosted 130 projects and included close to 500 artists. Supporting innovative events like Nuit Blanche helps to bring creativity to a community and attract people to visit that community.

Our festivals and events across the province are invigorating local economies. Tourism is an important job creator and economic driver in communities across the province and I think that our government will continue—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. David Zimmer: Nuit Blanche is one of the many signature events held in Toronto each year. It's been taking place in Toronto since 2006. In fact, it was the first of its kind in North America. It's a substantial tourist draw to Toronto and shines a cultural light on tourism in this area. Minister, what is the specific economic impact of this event for Toronto and the GTA?

Hon. Monique M. Smith: As I spoke of earlier, tourism is an important job creator and economic driver for the province. In 2007, tourists spent over \$22 billion in Ontario, which translates to approximately 300,000 direct and indirect jobs in our province. I'm proud that, through our investment in Nuit Blanche this year, we've seen an expansion of Nuit Blanche, which was founded in 2006 here in Toronto. This event fills hotel rooms, increases spending in restaurants and businesses, and attracts many visitors to the city. Last year alone, over 800,000 people attended the event. Of these, over 100,000 were visitors from outside of the GTA. This year, attendance is estimated at over 900,000 and the economic impact for the city of Toronto is estimated to be over \$16.5 million.

By working together with our partners in the industry and investing in festivals and events like Nuit Blanche,

we can position tourism to become an even more important economic driver for future growth and prosperity in Toronto and—

The Speaker (Hon. Steve Peters): Thank you. New question.

SEWAGE TREATMENT

Mrs. Julia Munro: My question is for the Minister of the Environment. The Pefferlaw Post has reported that Sibbald Point Provincial Park is spraying effluent from their sewage lagoon on parkland only metres from Lake Simcoe. The Ministry of the Environment district office told the Post they “have never inspected the facility.” No one at the Ministry of the Environment or Natural Resources or the park could even say how many litres are being sprayed.

Minister, why are you allowing this to happen? Is this consistent with the Lake Simcoe Protection Act?

Hon. John Gerretsen: As the member well knows when she first made me aware of this issue a couple of days ago, we looked into it right away. As a matter of fact, I forwarded to her right in this chamber the note that I got on it so that she could be fully aware of the situation there.

It’s my understanding that the certificate of approval that was given with respect to the pond is currently being looked at. It was issued back in 1972 for the operation of a sewage lagoon treatment system. The ministry is looking into this situation, it will continue to monitor the situation, and we will do whatever we can to make sure that the health and welfare of the people, not only in this area but particularly in Sibbald Point, are protected in the best way that we know how.

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Julia Munro: Is this practice common to all provincial parks?

Hon. John Gerretsen: I’m sorry, I didn’t get the question.

Mrs. Julia Munro: Is this practice common to all provincial parks?

Hon. John Gerretsen: I’ll refer that to the Minister of Natural Resources.

Hon. Donna H. Cansfield: I’m more than pleased to be able to respond. It would depend on the location of the park. Obviously, where there are water treatment facilities, where there is sewer and water, then we have a different system in place. Again, it would depend. I’m more than happy to give the member different parks with different processes.

INTERNATIONAL TRADE

Mr. Peter Tabuns: My question is to the Premier. Premier, you’re aware that Buy Local is in danger. There are ongoing trade negotiations happening behind closed doors that may well close the door to local purchasing

requirements. Will you commit to opposing any trade deal that undermines local requirements?

Hon. Dalton McGuinty: To the Minister of Economic Development and Trade.

Hon. Sandra Pupatello: We certainly appreciate the question. It’s a concern to all of us in Ontario, the province in this nation that is the most affected by what we see is clearly a buy-American plan by the municipalities and states south of our border.

What’s really important for people to note is that all of the provinces have come together in a historic fashion very quickly to be able to parcel together a package that our federal government can put on the table with the Americans, to suggest that we sit down and have negotiations so that we can undo some of this buy-American pattern.

We are suffering as a result. Our businesses here in Ontario have lost valuable contracts. It’s important that we take a step forward to say that we’re prepared to negotiate, that we want to have that special relationship restored with our American friends, because when they do business with an Ontario company, it’s good for their business.

DEFERRED VOTES

MINING AMENDMENT ACT, 2009

LOI DE 2009 MODIFIANT LA LOI SUR LES MINES

Deferred vote on the motion for third reading of Bill 173, An Act to amend the Mining Act / Projet de loi 173, Loi modifiant la Loi sur les mines.

The Speaker (Hon. Steve Peters): Call in the members. This will be a five-minute bell.

The division bells rang from 1138 to 1143.

The Speaker (Hon. Steve Peters): All those in favour will rise one at a time and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia
Arthurs, Wayne
Balkissoon, Bas
Bartolucci, Rick
Bentley, Christopher
Best, Margaret
Bradley, James J.
Broten, Laurel C.
Brown, Michael A.
Brownell, Jim
Cansfield, Donna H.
Caplan, David
Carroll, Aileen
Chan, Michael
Colle, Mike
Craiton, Kim
Crozier, Bruce
Delaney, Bob
Dickson, Joe

Dombrowsky, Leona
Duguid, Brad
Duncan, Dwight
Flynn, Kevin Daniel
Fonseca, Peter
Gerretsen, John
Gravelle, Michael
Hoskins, Eric
Jaczek, Helena
Johnson, Rick
Kwinter, Monte
Lalonde, Jean-Marc
Leal, Jeff
Matthews, Deborah
Mauro, Bill
McGuinty, Dalton
McMeekin, Ted
McNeely, Phil
Meilleur, Madeleine

Milloy, John
Mitchell, Carol
Oraziotti, David
Phillips, Gerry
Pupatello, Sandra
Ramal, Khalil
Ramsay, David
Rinaldi, Lou
Ruprecht, Tony
Sergio, Mario
Smith, Monique
Smitherman, George
Sousa, Charles
Takhar, Harinder S.
Van Bommel, Maria
Watson, Jim
Wilkinson, John
Wynne, Kathleen O.
Zimmer, David

The Speaker (Hon. Steve Peters): All those opposed?

Nays

Arnott, Ted
Barrett, Toby
Bisson, Gilles
Chudleigh, Ted
DiNovo, Cheri
Dunlop, Garfield
Elliott, Christine
Gélinas, France
Hardeman, Ernie
Hillier, Randy
Horwath, Andrea

Hudak, Tim
Jones, Sylvia
Klees, Frank
MacLeod, Lisa
Marchese, Rosario
Martiniuk, Gerry
Miller, Norm
Miller, Paul
Munro, Julia
Murdoch, Bill
O'Toole, John

Ouellette, Jerry J.
Prue, Michael
Runciman, Robert W.
Savoline, Joyce
Shurman, Peter
Sterling, Norman W.
Wilson, Jim
Witmer, Elizabeth
Yakabuski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 57; the nays are 31.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Third reading agreed to.

The Speaker (Hon. Steve Peters): There being no further business, this House stands recessed until 3 p.m. this afternoon.

The House recessed from 1146 to 1500.

INTRODUCTION OF VISITORS

Mr. Khalil Ramal: I'd like to welcome Marilyn Reid. She's the regional director of the Canadian Hearing Society in London. She is with us here somewhere in the gallery.

MEMBERS' STATEMENTS

CANADIAN HEARING SOCIETY

Ms. Sylvia Jones: It is my pleasure to welcome to Queen's Park today the Canadian Hearing Society. The society was founded in 1940 and has since become the leading provider of services, products and information that remove barriers to communication, advance hearing health and promote equity for people who are culturally deaf, oral deaf, deafened and hard-of-hearing.

The Canadian Hearing Society strives daily to educate the public about their organization, and earlier today they were able to share with MPPs and our staff CHS's ideal vision: a society where people are respected, have full access to communication and are able to participate without social, economic or emotional barriers.

To realize their vision, the Canadian Hearing Society offers a number of services across the country that include audiology, hearing aid fittings and dispensing. In addition, they also offer programs in seniors' outreach, mental health and addiction counselling, sign language interpretation and language development programs for children, just to name a few. These services are a tremen-

dous asset not only to clients of the Canadian Hearing Society but to their family and friends as well.

Without the dedication of staff and volunteers, the Canadian Hearing Society would not be the thriving, successful organization that it is today. On behalf of the many families and individuals who have a better quality of life in Ontario because of your work, I thank you.

MARK BOILEAU

Mr. Jim Brownell: My riding of Stormont-Dundas-South Glengarry is blessed with outstanding individuals and families who are passionate about their communities and who work continuously to strengthen the urban and rural fibre of those communities. The Economic Developer of the Year Award is presented annually by the Ontario East Economic Development Commission and is determined through a nomination process among economic development officers from across eastern Ontario. The award recognizes those individuals in economic development who go above and beyond their work to attract businesses and investment and retain businesses.

This year, the award was presented to Mark Boileau, manager of the city of Cornwall's economic development department. Mr. Boileau's advocacy and hard work in economic development is certainly recognized with this award. Mr. Boileau is the second economic developer from Cornwall to win the award, as founding Ontario east member Paul Fitzpatrick has also been honoured in the past.

Mark Boileau is an outstanding example of excellence in his profession. He has been an active member of the Ontario East Economic Development Commission and a strong advocate for Cornwall and area. In the past year alone, he has helped secure a major distribution centre for Cornwall and eastern Ontario.

It is with great pride that I recognize today the great accomplishments and the contribution of Mark Boileau to his city. Cornwall is certainly a better place for his work, and I thank him, and the community thanks him, for his involvement with economic development.

SMALL BUSINESS WEEK

Mr. John O'Toole: Canadians celebrate, from October 18 to 24, Small Business Week. I'm proud of the accomplishments of small business in my riding of Durham and the organizations that enable small businesses to help each other in our communities: the Clarington Board of Trade, for instance—Elaine Garnett is the president and Sheila Hall is the administrative person; Uxbridge Chamber of Commerce, with Ian Giffin—I spoke to them a week or so ago; Scugog Chamber of Commerce—Tony Janssen is president; the Bowmanville BIA, the business improvement area—Edgar Lucas is currently the chair and Garth Gilpin is the administrative assistant there; Uxbridge and Area Networking Group, a innovative group of young business operators, many home-based—Annie Hardock is the

chair; the Newcastle and District Chamber of Commerce—Dwight Hickson is the president. These are just a few of the resource people who help small businesses achieve their goals.

This government could learn a lot from the values of small business, such as working hard, being innovative, being accountable, keeping promises, watching the bottom line, customer service and support for the wider community that they serve and live in. Sadly, this government has fallen behind on its promises to small business, promises such as less red tape and competitive tax rates.

People in Ontario ask me, “How do you become a small business person?” I say, “In Ontario, how do you do it? You start as a large business, and you’ll eventually become a small business.” I urge the government to go beyond—

The Speaker (Hon. Steve Peters): The member from Beaches–East York.

CANADIAN HEARING SOCIETY

Mr. Michael Prue: I rise today to welcome my friends from the Canadian Hearing Society to Queen’s Park. Since 1940, the Canadian Hearing Society has been the leading provider of services, products and information that remove barriers to communication, advance hearing health and promote equity for people who are culturally deaf, orally deaf, deafened or hard-of-hearing.

They are here today focusing on two areas of need: first, mental health; and secondly, employment. They spoke to me particularly about the dismal state of employment amongst the community the CHS serves. It is extremely disappointing to know that between 55% and 75% of men and women with any number of disabilities can’t find work. Only 20.6% of deaf Canadians are fully employed today.

In Ontario, due to the lack of resources, the CHS cannot provide employment support services to many job seekers. Services are available only in Belleville, Brantford, Durham region, London, Ottawa, Peterborough, Sault Ste. Marie, Sudbury, Toronto and Waterloo. Due to funding cutbacks, these services are no longer available in Peel, York or Hamilton.

Today, I ask three things on behalf of the CHS: First, that Employment Ontario and ODSP recognize and fund specialized services like CHS—employment pays dividends in reduced social assistance, reduced health care costs, reduced barriers to housing and increased tax revenues—second, that they continue funding CHS employment services in existing communities; and third, expand CHS employment services in places like York, Peel and Hamilton.

RIDE PROGRAM

Mr. Khalil Ramal: I rise in the House today to announce that our government is honouring its commitment to make Ontario’s roads safer.

The RIDE program has been preventing drinking and driving on Ontario’s roads since 1969. In the city of London, our police services will receive \$45,000 for this year’s RIDE efforts to keep roads safe in London. Across Ontario, more than 8,000 officers will be funded for a second year. That’s double the number of officers compared to 2007-08.

Ontario’s continued support for RIDE makes a direct impact on road safety. Last year, police conducted close to 784,000 spot checks, resulting in 970 impaired-driving charges and 1,900 12-hour licence suspensions. The London Police Service alone stopped 26,219 vehicles, resulting in the arrests of 22 drivers and 114 licence suspensions.

I would like to commend the London Police Service for their hard work and dedication to combat drinking and driving. By working together with police and other dedicated groups across Ontario like MADD and Arrive Alive, we can achieve the goal of eliminating drinking and driving on our roads and the terrible losses that result.

I want to thank you, Mr. Speaker, for allowing me to stand up in my place, and thanks to the police of London for the great job they do on behalf of all of us in the city of London.

SMALL BUSINESS

Mrs. Julia Munro: Congratulations to all of the hard-working small business owners in Ontario during Small Business Week. They are Ontario’s number one job creator. They represent 99% of businesses in Ontario, yet for six years all that the McGuinty government has offered Ontario’s small businesses is more regulation and more tax.

Earlier this month, I introduced a resolution in this House calling on the government to cut red tape for small business. Small businesses should know that the Liberals voted it down. Yet we do see that the government is willing to take action when it comes to raising taxes.

1510

Less than nine months from today, every service business in Ontario will see an 8% increase in its provincial tax burden. Why is the government changing the tax system on small businesses during a recession? The government is failing Ontario. It has failed on red tape; it has failed on taxes. Small businesses have given up hope about receiving help from this government. They know that what they need is a change of government. Tim Hudak and the PC Party will offer small business that change.

ONTARIO MARKET INVESTMENT FUND

Mrs. Carol Mitchell: I recently announced two grants that deal with the promotion of Ontario foods through the Ontario market investment fund. The OMIF program, coordinated by the Ministry of Agriculture, Food and

Rural Affairs, is a four-year provincial initiative that supports industry, market research, promotional initiatives and local food network coordination to promote consumer awareness and encourage Ontarians to buy locally.

The first project, located in Kincardine, received over \$16,000 and was jointly coordinated by Anderkin Foods and the Grey Bruce Agriculture and Culinary Association. The project's goal is to showcase local food products through the creation of 30,000 food trail maps that would indicate where local food from the area can be purchased and the restaurants that serve these products. Additionally, they intend to purchase and outfit a mobile trailer promoting local culinary fare and Ontario honey products.

The second venture, the Huron-Perth Farm to Table project, received \$50,000 and was sponsored by Huron Business Development Corp., located in Seaforth. This project will help build producer capacity to increase and to develop a business plan for a business incubator kitchen, network farmers' markets and create a website of local food and food security projects.

These projects and the commitment from the Ministry of Agriculture through the OMIF program further indicate this government's ongoing dedication to make sure that all Ontarians see the benefit of local food.

OLYMPIC TORCH RELAY

Mr. David Ramsay: As we all know, we are starting the countdown to the Winter Olympics in Vancouver. In fact, tomorrow night in Athens the torch will be lit and will start its 106-day journey.

On day 63, that torch is going to leave North Bay on Highway 11 and come right up through the riding of Timiskaming-Cochrane, as it is going to in many of the ridings in this province. It's going to go through the towns of Temagami, Latchford, Cobalt, Haileybury, and Temiskaming Shores, which used to be called New Liskeard and Haileybury, for those people who don't know where that is.

We are going to get that, then, on New Year's Eve, and Mayor Judy Pace of Temiskaming Shores is planning an afternoon of family activities topped off by a gala New Year's Eve party in the arena with the community invited.

The next day it's going to go up to Kirkland Lake, and the Kirkland Lake Interact Youth Group will be carrying the torch on the Kirkland Lake leg. These are local high school students who were involved in a demonstration of international projects to help the environment and who last year did what they called a water walk, where they basically walked water from Kirkland Lake to Kenogami, back and forth, to replicate what people in Africa have to do to transport their water. So they have been basically blessed with the opportunity and privilege of carrying the torch there. We all look forward to that.

It is a 45,000-kilometre journey across the world, and we look forward to that and to completing the Olympics.

CANADIAN HEARING SOCIETY

Mrs. Maria Van Bommel: I also want to take the opportunity to welcome the Canadian Hearing Society to Queen's Park today.

I met with four members of the society to talk about the challenges of delivering mental health services to people with hearing loss. Life is about communication, as we all know, and it's far too often taken for granted. Currently, one in four Canadians experience some kind of hearing loss, and the Canadian Hearing Society's dedication to combatting this is recognized by all of us in this House.

Our government is committed to improving accessibility for every Ontarian with a disability, and our vision is an accessible Ontario by 2025. In addition to the accessibility standard for customer service which is already law, four other accessibility standards are currently in development under the AODA which will positively impact accessibility for persons who are deaf, deafened or hard of hearing.

The Canadian Hearing Society has been dedicated to improving Canadians' hearing since the 1940s, as stated earlier, and while many things have changed, their commitment to the core principles of removing barriers to communication, advancing hearing health and promoting equality and equity for people who are hard-of-hearing has remained the same.

The Canadian Hearing Society is the largest organization of its kind in Canada and has improved the quality of life for countless Canadians, and the McGuinty government is committed to furthering the society's initiatives and looks forward to our continued partnership going forward.

I want to welcome them, and I hope they have enjoyed their day here at Queen's Park.

INTRODUCTION OF BILLS

EMPLOYMENT PROTECTION FOR FOREIGN NATIONALS ACT (LIVE-IN CAREGIVERS AND OTHERS), 2009

LOI DE 2009 SUR LA PROTECTION DES ÉTRANGERS DANS LE CADRE DE L'EMPLOI (AIDES FAMILIAUX ET AUTRES)

Mr. Fonseca moved first reading of the following bill:

Bill 210, An Act to protect foreign nationals employed as live-in caregivers and in other prescribed employment and to amend the Employment Standards Act, 2000 /
Projet de loi 210, Loi visant à protéger les étrangers employés comme aides familiaux et dans d'autres emplois prescrits et modifiant la Loi de 2000 sur les normes d'emploi.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The minister for a short statement?

Hon. Peter Fonseca: I will make my statement during ministerial statements.

MUNICIPAL AMENDMENT ACT (GREEN ROOFS), 2009

LOI DE 2009 MODIFIANT LA LOI SUR LES MUNICIPALITÉS (TOITS VERTS)

Mr. Ruprecht moved first reading of the following bill:

Bill 211, An Act to amend the Municipal Act, 2001 to encourage the construction of green roofs / Projet de loi 211, Loi modifiant la Loi de 2001 sur les municipalités afin d'encourager l'aménagement de toits verts.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The member for a short statement?

Mr. Tony Ruprecht: This is called a green act, just for your information. The act will empower municipalities across the province of Ontario to pass bylaws requiring and governing the construction of green roofs. Such vegetation-covered roofs will aid water and energy conservation, create green space and allow for the local production of healthy foods, which can be consumed by building residents or donated to local non-profits.

BRISMAIR PROPERTY MANAGEMENT INC. ACT, 2009

Ms. DiNovo moved first reading of the following bill:

Bill Pr27, An Act to revive Brismair Property Management Inc.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): Pursuant to standing order 86, this bill stands referred to the Standing Committee on Regulations and Private Bills.

MOTIONS

COMMITTEE SITTINGS

Hon. Monique M. Smith: I believe we have unanimous consent to put forward a motion without notice regarding the Standing Committee on Justice Policy.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

Hon. Monique M. Smith: I move that, notwithstanding the order of the House dated May 1, 2008, establishing meeting times for the committees, the Standing Committee on Justice Policy be authorized to meet at the call of the Chair on Thursday, November 5, 2009, for the purpose of conducting public hearings in Barrie, Ontario, on Bill 196, An Act respecting the adjustment of the boundary between the City of Barrie and the Town of Innisfil, and that the committee be authorized to meet from 1 p.m. to 3 p.m. on Monday, November 16, 2009, for the purpose of clause-by-clause consideration of the bill.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

Motion agreed to.

1520

STATEMENTS BY THE MINISTRY AND RESPONSES

PROTECTION FOR WORKERS

Hon. Peter Fonseca: Today I rise to introduce legislation that will protect some of the most vulnerable employees in our province, foreign nationals who work as live-in caregivers. Our government has moved quickly to ensure that these employees, who are at risk of exploitation, receive the protections they need and deserve. This proposed legislation is about respect, dignity and worth of others.

Many in this House are aware that there have been reports of exploitation of employees who are part of the federal live-in caregiver program. There have been justifiable concerns raised about exorbitant placement fees charged to live-in caregivers, and reports of cases where passports and other personal documents of workers were improperly withheld. The legislation we're introducing today addresses these concerns and more.

It has taken a lot of hard work by many individuals to get us to this point. I want to thank my parliamentary assistant, the member for Brampton West, Vic Dhillon; my office staff; my ministry for all their hard work in developing this legislation; my colleague the member for Eglinton-Lawrence, Mike Colle; and many members in this House who have given input.

I would also like to thank my communications adviser, Susan McConnell. We know full well that good communications are the basis of all our achievements as lawmakers. Susan has devoted her prodigious talent, intelligence and dedication to the communications aspect of this bill and many other labour bills that were introduced, passed and implemented by me and my predecessors. We have two here today, Speaker—you being a former labour minister, and Minister Duguid, a former labour minister—who worked with Susan McConnell. We couldn't have done it without her. Last week, Susan left my office to seek opportunities outside of govern-

ment. She will be greatly missed. Thank you, Susan. We wish you well.

Now I ask that all members and all guests who are here today look to the east gallery. In the east gallery we have some tremendous advocates. We've got some live-in caregivers with us. We've got Deena Ladd from the Workers Action Centre and one of her members here with us. But I want to point out Pura Velasco, who has been a tremendous advocate on behalf of live-in caregivers. Pura has just been tremendous. She has been involved in discussions and consultations on this bill since we started to look at ways to protect live-in caregivers. Without her continued guidance we would not have proposed this legislation. Pura, I can't thank you enough. Thank you.

Our proposed legislation would prohibit recruiters from charging any fees to live-in caregivers. This comprehensive ban would also prohibit recruiters from charging supplementary services, such as resumé writing, interview coaching or the like. Our proposed legislation also prohibits anyone from collecting fees on behalf of recruiters and would prohibit employers from recovering recruitment costs from live-in caregivers. These provisions would stop recruiters from somehow working through employers to indirectly get the recruitment fees that they couldn't get directly.

Our legislation would also prohibit an employer or recruiter from taking possession of personal documents, such as passports, belonging to a live-in caregiver. In addition, our bill has the flexibility to deal with new situations. It provides a regulation-making authority to expand the bill's protection to new categories of foreign workers and modify other elements of the legislation to accommodate these new protections.

To help live-in caregivers to protect themselves, this bill would require recruiters and, in some situations, employers to distribute information sheets describing their rights.

We have also proposed allowing live-in caregivers up to three and a half years to make a complaint. This longer limitation period would allow a live-in caregiver to make a complaint after she or he has obtained permanent residency status, which generally takes up to 36 months for caregivers once they've come to Canada, because by that point the live-in caregiver is not generally vulnerable to the threat of deportation and is in a better position to make a complaint.

Further, there is no monetary limit on the recovery of money pursuant to any order under this proposed legislation. So if a recruiter charges a caregiver \$20,000 in fees, we can order a recovery of that \$20,000 in fees.

The bill would also have a new enforcement provision that would allow employment standards officers to act on tips and investigate potential violations without waiting for a complaint to come forward.

The bill also has provisions that would allow employment standards officers to use search warrants more effectively. In particular, the officers could use warrants to retrieve those passports that have been illegally withheld.

My own experience of growing up in a family of immigrants has taught me about the challenges of coming to a new country. There are difficulties that all immigrants and newcomers face. We understand that. But they should not have to face exploitation and abuse.

This legislation that we're introducing will help correct a serious wrong. It shows caring for those who spend their work life caring for our loved ones.

I again want to thank all of those who have given input as well as inspiration to the creation of this legislation. This is the right thing to do, and I ask all members to support this legislation.

The Speaker (Hon. Steve Peters): Responses?

Mr. Randy Hillier: I would like to congratulate the members across the aisle for their attention to this important issue. As representatives of the people of Ontario, we have an obligation to protect those who cannot protect themselves. This bill is an excellent example of legislation that recognizes our responsibilities, and I applaud the government's attempts to protect foreign live-in caregivers who may not be aware of their freedoms and rights in our country. By providing temporary foreign workers with legislated protections and by mandating that they be informed of their rights and freedoms, we are protecting these visitors to our province and ensuring that people in Ontario do not fall victim to exploitation and corruption. Bringing temporary foreign workers, and live-in caregivers in particular, under the auspices of the Employment Standards Act is a valid and admirable goal.

However, it does strike me as odd that in examining the rationale behind the introduction of certain pieces of Liberal legislation, we often see that it is a response to the unscrupulous behaviour of certain members of the Liberal Party at both the federal and provincial levels. Certainly in the last few months we've seen changes to how the finances of our agencies, boards and commissions are handled here in Ontario. New regulations and policies are being brought forward as a consequence of Liberal scandals at eHealth, and more have been found at WSIB and OLG.

In this case, it is only after the abuses by federal Liberal Ruby Dhalla were exposed that the government has acknowledged that the problem needs to be addressed. A few months after these abuses came to light, the provincial government has determined that protection is needed for live-in caregivers. A cynical person might believe that this is just a reactive government that acts only when Liberal necks are on the line, but we can all be happy with a government that performs the correct actions.

1530

I might add that good government also means governing for the right reasons. Might I suggest that, if we were really serious about ending exploitation and corruption and making Ontario safe, we may consider banning Liberal politicians. Surely our need for more laws would be significantly reduced.

I would also like to remind this House that the McGuinty Liberals have indeed made a commitment that for every new regulation they introduce, they would

remove one. We've seen a lot of introductions but I've not seen any removals yet. But I can assure the House that I look forward to studying this bill and offering constructive criticism, and I'm sure that it will be accepted in that light.

Ms. Cheri DiNovo: It's an honour and a privilege to rise on behalf of all the precarious workers in Ontario, particularly precarious foreign caregivers who have been working and exploited perhaps more than any others in the province of Ontario. It's a pleasure also to be able to say that, of course, in the New Democratic Party, we're going to support this bill, but we're going to fight to make it way, way stronger because, as it stands, the member to my right, and I say that consciously, raised the issue of Ruby Dhalla. This bill would not have protected the nannies who worked for Ruby Dhalla, and I'll explain why that is.

Those nannies, and I want to mention their names because they stand out as whistle-blowers—women, like all nannies everywhere, like Pura Velasco herself, who are incredibly strong, who stand up against powers and principalities on behalf of all of those others who are exploited—Magdalene Gordo and Richelyn Tongson. These women complained about working 12- to 16-hour days, making about \$250 a week. They washed cars, they polished shoes and they cleaned offices, and they did so because of the threat of deportation. I realize that's a federal responsibility and that needs to be changed federally, that nannies can't leave their employers within two years without fear of deportation. I'm happy to work with my colleagues across the aisle to push the federal government to do the right thing in that regard, but the problem is, that law still stands. Right now, nannies who are working are still frightened because of it.

So this law, and it's a good one, goes not far enough. It does what it says it's going to do: It removes those usurious and exploitative fees to nannies to come into the country to get jobs, but it doesn't protect them once they've got the job because that 42-month length of time is only in relationship to the fees that they are charged when they come to the country. It's not in relationship to complaints about abuses to the Employment Standards Act, and that's where we have to see action.

I'm asking the minister to work with us at committee because, right now, you've only got six to 12 months to complain about an abuse under the Employment Standards Act, and those are the abuses that both Magdalene and Richelyn experienced working for Ruby Dhalla and that many, many live-in caregivers experience. So we need to lengthen that time. It has to be more than 12 months, it has to be more than the two years that it takes to move from one employer to another, to protect them. So, again, can we work within the confines of this bill—I hope we can; I think we can—to make amendments so that it can be really the strongest piece of legislation possible to give the most protection possible?

We were briefed just today, so I haven't had a chance to read the actual content of the bill; just the briefing notes. But I'm looking forward to sitting on committee,

to going through this clause-by-clause, to making sure that those nannies who are out there who are frightened to speak up, totally frightened because they might be deported, they might risk their immigration status, frightened and still making less than minimum wage, still not getting OHIP coverage for the first three months—and that's another issue we want to look at—still not getting vacation time, still not covered by WSIB, or so they think—those nannies we have to address.

So, good. Finally, with the passage of this bill, we will get rid of that level of exploitation when the nanny first comes into the country. Our concern, in the New Democratic Party, is what happens after she stays here. Together we can work, and I really want to just give kudos where kudos are due: to all those folks in the labour movement, and I think of steelworkers and OPSEU and all those who have worked with nannies and the nannies, of course, themselves, first and foremost. This bill is your bill. You worked for it, and we plan on working with you to make this the strongest possible protection for live-in caregivers anywhere in the world. Thank you very much for all of your hard work.

PETITIONS

IMAGINE ADOPTION

Mrs. Joyce Savoline: I have a petition to the Legislative Assembly of Ontario:

"Whereas the Minister of Children and Youth Services, in the matter of the bankruptcy of Kids Link International Inc., be held financially accountable for subsidizing the start-up costs associated with resurrecting the adoption agency formerly known as Imagine;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To hold the Honourable Deb Matthews and the Minister of Children and Youth Services accountable, and be required to solely fund or partially subsidize the additional monies required to reinstate the adoption organization formerly known as Imagine. Because of the lack of oversight and due diligence, the executive director of Imagine Adoption was operating this agency autonomously, which resulted in a gross misappropriation of funds. Had the MCYS conducted routine checks of the agency's finances after the initial issuance of the adoption licence and demanded audit packages and financial statements to be submitted and reviewed prior to each renewal of the agency's licence, this would have been avoided."

I agree with this petition, and I am going to sign it and give it to Nithya.

SERVICES DIAGNOSTIQUES

M. Gilles Bisson: J'ai une pétition ici de la part de M^{me} Gélinas à l'Assemblée législative de l'Ontario :

« Attendu que l'Ontario fait de la tomographie par émission de positons (TEP) un service de santé assuré par le régime public pour les patients atteints du cancer et de maladies cardiaques, lorsque les données cliniques indiquent que cette technique est efficace dans leur cas; et

« Attendu que d'ici octobre 2009, des TEP assurées seront effectuées à Ottawa, à London, à Toronto, à Hamilton ainsi qu'à Thunder Bay; et

« Attendu que la ville du Grand Sudbury est une plaque tournante pour la santé dans le nord-est de l'Ontario, qui compte l'Hôpital régional de Sudbury et son programme régional de cancer, de même que l'École de médecine du Nord de l'Ontario;

« Nous, soussignés, demandons à l'Assemblée législative de l'Ontario d'offrir la TEP par le biais de l'Hôpital régional de Sudbury, donnant ainsi un accès équitable aux résidents du nord-est de l'Ontario. »

J'ai signé cette pétition.

CEMETERIES

Mr. Jim Brownell: I have a petition signed by a number of Ontarians from Kingston, Pickering and Brampton, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas protecting and preserving Ontario's cemeteries is a shared responsibility and the foundation of a civilized society; and

"Whereas failure to safeguard one of our last remaining authentic original heritage resources, Ontario's inactive cemeteries, would be disastrous for the continuity of the historical record and our collective culture in this province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government must pass Bill 149, the Inactive Cemeteries Protection Act, 2009, to prohibit the re-location of inactive cemeteries in the province of Ontario."

As I agree with this petition, I shall sign it and send it to the clerks' table.

TAXATION

Mr. John O'Toole: Each day I get hundreds of petitions, and the topic is remaining the same.

"Whereas Premier Dalton McGuinty plans to increase taxes yet again with his new 13% combined sales tax, at a time when families and businesses can least afford it;

"Whereas by 2010, Dalton McGuinty's new tax will increase the cost of goods and services that families and businesses buy and use every day. A few examples would include: condominium fees, apartment rent; coffee, newspapers and magazines; gas at the pump; home heating oil and electricity; postage stamps; haircuts; dry cleaning; home renovations; veterinary care, health care; arena ice and soccer field rentals and pool rentals;

"Whereas Dalton McGuinty promised he wouldn't raise taxes in the 2003 election. However, in 2004, he brought in the dreaded health tax, which costs upwards of \$600 to \$900 per person"—unbelievable;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That Premier Dalton McGuinty's government wake up to people's current economic reality and stop raising taxes once and for all on Ontario's hard-working families and businesses."

I'm pleased to sign and support this and present it to Kira, one of the new pages here. I think this is the third time she's done petitions.

1540

TAXATION

Mr. Paul Miller: This is entitled "Stop the Unfair Tax Grab.

"To the Legislative Assembly of Ontario:

"Whereas Ontario has lost 171,000 jobs since October and over 300,000 manufacturing and resource sector jobs since 2004; and

"Whereas many families are facing the threat of layoffs or reduced hours; and

"Whereas, rather than introducing a plan to sustain jobs and put Ontario's economy back on track, Dalton McGuinty and his government chose to slap an 8% tax on everyday purchases while giving profitable corporations a \$2-billion income tax cut;

"Be it resolved that the undersigned call on the Legislature to cancel the scheduled implementation of the sales tax harmonization."

I agree with this petition and will affix my name to it. Rushabh will bring it down.

DIABETES TREATMENT

Mr. Tony Ruprecht: I have a petition to the Parliament of Ontario, and it reads as follows:

"Whereas elementary school-aged children in the province of Ontario suffering from diabetes require regular blood sugar monitoring and may also require insulin and glucagon to manage their disease; and

"Whereas there is no medical or nursing assistance readily available in schools as there was in the past; and

"Whereas the parents/guardians of these children must currently visit their child's school several times throughout the day in order to test their child's blood sugar levels; and

"Whereas the absence of medical support in our elementary schools results in substantial stress and disruption to the lives of children and their working parents;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"(1) That elementary schools in the province of Ontario have on-site staff trained in the daily monitoring of blood sugar levels of children who suffer from diabetes; and

"(2) That the trained staff also administer insulin and glucagon when required, with the consent of the child's parent/guardian."

I agree with this petition. I am delighted to put my name to it and send it to you by this boy called Matthew, who is our page.

TAXATION

Mrs. Julia Munro: "To the Legislative Assembly of Ontario:

"Whereas the McGuinty government's plan to 'harmonize' the PST and the GST will result in Ontario taxpayers paying 8% more for a multitude of products and services;

"Whereas the 8% tax increase will increase the cost of services such as housing and real estate services, gasoline, hydro bills, home heating fuel, Internet and cable bills, haircuts, gym memberships, legal services, construction and renovations, car repairs, plumbing and electrical services, landscaping services, leisure activities, hotel rooms, veterinary services for the family pet and even funeral services; and

"Whereas Ontario taxpayers cannot afford this tax grab, particularly in the middle of a recession;

"We, the undersigned, petition the Legislative Assembly of Ontario to direct the government of Ontario to abandon the sales tax increase announced in the 2009 budget."

I have affixed my signature as I am in agreement.

TOM LONGBOAT

Mr. Jim Brownell: I have a petition signed by a number of Ontarians from Glengarry county that supports the Tom Longboat Day Act. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Tom Longboat is one of Canada's greatest long-distance runners; and

"Whereas Tom Longboat is a great role model for all Canadians;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass the Tom Longboat Day Act into law so that we can honour this remarkable athlete and courageous Canadian, who is a great role model for all Canadians."

As I agree with this petition, I shall sign it and send it to the clerks' table.

TAXATION

Mr. Gerry Martiniuk: I have petitions provided to me by good citizens of Cambridge Les Swainston, Mr. and Mrs. Diebold and Penny Vokey, which read:

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty said he wouldn't raise taxes in the 2003 election, but in 2004 he brought in the health tax, the biggest tax hike in Ontario's history, but he still cuts health care ... and nurses;

"Whereas Dalton McGuinty will increase taxes yet again on Canada Day 2010, with his new 13% combined GST, at a time when families and businesses can least afford it;

"Whereas Dalton McGuinty's new 13% combined GST will increase the cost of goods and services that families and businesses buy every day, such as: coffee ..., gas at the pumps, home heating oil and electricity, postage stamps, haircuts, dry cleaning, home renovations, veterinary care, arena ice and soccer field rentals, Internet fees, theatre admissions, funerals, courier fees, fast food sold for" under "\$4, bus fares, golf green fees, gym fees, snowplowing, bicycles, taxi fares, train fares, domestic air travel, accountant services and real estate commissions;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government wake up to Ontario's current economic reality and stop raising taxes, once and for all, on Ontario's hard-working families and businesses."

As I agree with this petition, I affix my name thereto.

TAXATION

Mr. Paul Miller: "To the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Be it resolved, I am opposed to Dalton McGuinty's 8% sales tax grab and call on the Parliament of Ontario to cancel its plan to introduce a harmonized sales tax on July 1, 2010."

I agree with this and I will affix my name to it, and Jeremy will bring it down.

HOSPITAL FUNDING

Mr. Bob Delaney: I have a petition here, addressed to the Ontario Legislative Assembly. I especially would like to thank Barb Myers of Streetsville and Des Drefke of Meadowvale for having collected the signatures. It reads as follows:

"Whereas wait times for access to surgical procedures in the western GTA served by the Mississauga Halton LHIN are growing despite the ongoing capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could" better "be performed in an off-site facility." Such "an ambulatory surgery centre would greatly increase the ability of surgeons to perform more procedures, reduce wait times for patients and free up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2009-10 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I am pleased to sign and to support this petition and to ask page Shaan Ali to carry it for me.

DOCTOR SHORTAGE

Mr. John O'Toole: I've been listening to—a lot of the petitions today are about the dreaded HST, so I thought I'd just bring in something a little bit new. It reads as follows. I agree with the HST—I don't think that tax should be brought in.

"Whereas the McGuinty government is conducting a review of the province's underserviced area program (UAP) that may result in numerous communities across rural and small-town Ontario losing financial incentives to recruit and retain much-needed doctors" in small-town Ontario; and

"Whereas financial incentives to attract and keep doctors are essential to providing quality front-line health care services, particularly in small communities; and

"Whereas people across Ontario have been forced to pay Dalton McGuinty's now-forgotten health tax since 2004, expecting health care services" would actually improve but, rather, they've been cut; and

"Whereas taxpayers deserve good value for their hard-earned money that goes into health care, unlike the wasteful and abusive spending under the McGuinty Liberals' watch at eHealth Ontario"—\$1 billion wasted;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That" Dalton McGuinty's "government not reduce or eliminate financial incentives" to rural and small communities so that they can attract and retain the doctors they need to provide quality health care in Ontario.

I'm pleased to endorse and sign this and present it to Nithya.

JUSTICE SYSTEM

Mr. Tony Ruprecht: I appreciate your recognizing me on this petition that I've received from Save Our Children. The Parliament of Ontario and the Attorney General are directly mentioned here. It reads as follows:

"Whereas the Canadian Judicial Council has been asked by Ontario's Attorney General to probe the judicial behaviour of judges; and

"Whereas judges are human beings and have been known to make serious mistakes in the judicial system, leading to devastating consequences and unfair justice for Canadian citizens; and

"Whereas some judges" ... have fallen asleep in the midst of a trial...; and

"Whereas some judges have been observed making biased, disrespectful comments and abusing their judicial powers; and

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"Whereas Canadian families need to be protected from these judges who are unable to change their habits, unable to follow the rule of proper conduct and unable to exercise recommendations set by the Court of Appeal, and consequently commit grave injustices;

"Therefore we, the undersigned citizens, are strongly requesting the following changes in our judicial system:

"(1) That a 'judicial demerit point system' be applied to ensure that judges are accountable for their judgments rendered;

"(2) That a yearly review of their performance be established" by a Canadian judicial council.

I am passing this on through page Henry.

ORDERS OF THE DAY

TECHNICAL STANDARDS AND SAFETY STATUTE LAW AMENDMENT ACT, 2009

LOI DE 2009 MODIFIANT DES LOIS EN CE QUI A TRAIT AUX NORMES TECHNIQUES ET À LA SÉCURITÉ

Resuming the debate adjourned on October 20, 2009, on the motion for second reading of Bill 187, An Act to amend the Technical Standards and Safety Act, 2000 and the Safety and Consumer Statutes Administration Act, 1996 / Projet de loi 187, Loi modifiant la Loi de 2000 sur les normes techniques et la sécurité et la Loi de 1996 sur l'application de certaines lois traitant de sécurité et de services aux consommateurs.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Peter Tabuns: As I was saying yesterday when the clock hit 6, I have a number of concerns about the act before us. I want to talk about yet another element, and that is that when you actually go through this act, when you read the legislation, the sense you come away with is that there's far greater concern in making sure that government has covered itself for liability as opposed to actually protecting the public. That concern about potential legal exposure may have some uses, but frankly, the critical thing that the people of Ontario want to know is that in fact this legislation will protect the public and will protect lives. A focus on government liability and avoiding liability is not what people expect when we debate this kind of legislation.

There is a lot of ink in this bill that's spilled in isolating the government and the TSSA from liabilities relating to TSSA's mandate. Very little—very little—is in this bill that makes the TSSA more accountable and makes Ontario a safer place to live and to work in. It's the firm belief of the NDP—and I will enlarge upon this as I go through my remarks—that it's time that the TSSA

was taken back from the private sector and brought under government control.

The Toronto Star produced an editorial on this matter in August 2008, and this was very fresh, immediately after the explosions. The Star, in their editorial, comments first on the impact of the explosion at Sunrise: "Rocked by a series of propane blasts that killed two and drove 12,000 people from their homes, public confidence in Ontario's fuel safety agency has suffered a fresh blow. Days after the disaster," TSSA was not able to provide an accurate list of propane facilities in this province.

The Toronto Star goes on to write: "Before the privatization efforts of former Premier Mike Harris, fuel safety came under the purview of government. When it was transferred to the industry-funded TSSA in the late 1990s, accountability was eroded. Its operations are not subject to the Auditor General's reviews, so who oversees the watchdog?"

"Indeed," they say, "it's surprising that the Liberals haven't taken" the step of bringing this regulatory power back in-house, back into the hands of government so that we have protection for the public, for workers, for property, from irresponsible operators. They say, "Indeed, it's surprising that the Liberals haven't taken such a step, given that they were so steadfastly opposed to Harris's privatization of the TSSA before winning power."

Well, the Star was right. It is surprising. I think it speaks to the power of the industries in question, their desire to regulate themselves, their desire not to have the kind of thoroughgoing regulation, oversight and inspection that in fact should be in place, oversight and inspection that in fact would probably drive up their costs. It would be good for the responsible players because in fact they want to have a good operation. They don't want to put their employees and the public at risk. It would be bad news for the bad operators, but those bad operators clearly have enough power and influence that they can continue to drive an agenda here.

Workers in the industries covered by the TSSA report that if you're lucky enough to get the authority's inspectors to come in, usually they side with employers. No surprise, eh? The majority of representatives on the board of this authority come from the very industries that they're supposed to monitor. This places the authority in an immediate conflict of interest with the public it's supposed to protect. What we have here, very simply, is the fox looking out for the henhouse.

Again, as I did yesterday, I have to credit the Communications, Energy and Paperworkers Union for actually taking on this issue. As I said yesterday, their members are the people who work front-line with explosive substances, powerful chemicals and powerful fuels, and they have a fundamental and easily understood concern that these workplaces, substances should be properly regulated so that human life and workplace are protected.

There are some minor improvements in Bill 187 that would allow the minister to alter the number of directors on the board of the TSSA and determine competency

requirements. However, there's no requirement that the board reflect a broader range of stakeholder interests. The board can remain as industry-dominated in the future as it is now.

The industry interests have inappropriate sway in other areas of Bill 187 as well. The current administration agreement between the government and the TSSA requires the government to consult with the authority in making legislation or policy that relates to the industries that fall under the jurisdiction of this authority. Since this authority is made up of industry representatives, this means that industry interests have a very big say in setting the health and safety standards that affect the public and workers.

Bill 187 expressly continues this existing administration agreement. Bill 187 does not break with the Harris legacy of deregulation and privatization, does not move forward and state unequivocally that the interests of the public must be protected by the public. No. Bill 187 allows public interests and concerns to continue to be hived off and left in the hands of those whom it is supposed to be regulating. Not good—not the thrust, the direction that we need in this legislation.

Another area of concern to the NDP is that the TSSA regularly grants "variances from regulations to industry, allowing the use of equipment and practices that are considered to be a safety risk." Here you have a body at arm's length, run by industry, that has the ability to rewrite the laws under which that industry operates. It's bad enough that they get to set the allocation of funds for inspections, bad enough that they will be biased towards themselves, but to actually be able to write variances for themselves on safety regulations that have been passed by this Legislature, by the cabinet of this province, is extraordinary to me.

Why would you give that kind of governmental power to a private body? Unlike the government, the TSSA is under no obligation to give the public any notice of these variances, and there are very limited rights of appeal against these variances. Employees are not told when or why these exemptions are granted. The propane safety review panel report of November 2008 criticizes the authority's practice in granting variances and recommends that the TSSA "make clear to public safety authorities and other stakeholders the reason for the proposed variance."

From what I can see, and I look forward to hearing the minister or his parliamentary assistant address this, Bill 187 doesn't implement this recommendation. It's not there. So I look forward to having the section cited. I look forward to having that clarified. But in the end, if the public who elects us, who expects us to be accountable to them, who expects, through that election and accountability, to be able to protect themselves and make sure their interests are looked out for—is in a situation where power is in fact moved away from them, moved away from us and put into private hands.

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In the course of yesterday's speeches, we heard about Ontario having some of the best standards in the world.

I'd ask people to think about whether or not we have the best standards in the world when you actually look at the propane safety review panel's commentary. Interestingly, they hired a consultant, Deloitte, to take a look at regulation in the other jurisdictions to see what in fact is being done in other places.

It's interesting: I had an opportunity to deal with staff reports when I was on city council. When you listen to staff reports, those who have worked in government know that often people can be quite delicate and diplomatic. They don't say, "You made a major mistake here. You put your foot in it, and really, you shouldn't show your face in public." You don't write that in a report. Sometimes you have to put things very diplomatically.

I may be misreading what the panel really meant when they wrote, but I have to say that they wrote, "Ontario measured favourably when compared with other provinces." You have to note that the research that was done checked out selected US states, the European Union, Australia and Japan. I would take that as saying we may compare well with some other Canadian provinces, but we don't compare well with the world standard in other industrialized jurisdictions: the European Union, Japan and a number of American states.

Here are their words: "In leading jurisdictions, the report notes, the regulation of propane storage and handling, and hazardous material sites more generally, reflects the following key characteristics: focus on emergency prevention and preparedness." You know, I think there's something to learn there. If we don't already have that, and I don't believe we do, then we continue to put people at risk because, as you know from the reports that came out, once they'd been sorted through, there are a number of other large propane sites, there are a number of other large hydrocarbon facilities that are located close to or in residential areas. But as I read this, we aren't following best practices in the rest of the world. It's interesting that in other places there is a focus on land use planning guidelines for the siting of hazardous industrial facilities—the Seveso II directive from the European community.

If the old city of York, the city of Toronto and the city of North York had been able to actually disallow the location of a propane facility at Sunrise, they would have done so. In the end, the courts decided that the power to do that was in the hands of the provincial government.

What other jurisdictions have done—what the European community has done—is to say, "When we look at safety regulations, we have to look at zoning and siting as well. It's all a parcel. It's integrated." Because even with the best of safety regulations, occasionally things will go badly wrong. So when you plan, you have to integrate land use planning and zoning along with supervision of these hazardous materials sites, these potentially explosive materials sites. When you look at the UK, the report says they have "successfully integrated the regulation of hazardous materials sites with local planning"—smart on their part.

When you look at best practices in training, certification and licensing, something that is now addressed in

this act and should never have not been part of the law in Ontario—in other jurisdictions such as Quebec, North Carolina and Florida, minimum liability insurance for large propane storage or filling facilities is already in place. We should have had that.

Insurance requirements are addressed in this legislation. It will be very interesting to see in the regulations what level they're set at because, if I remember correctly, the explosion that happened in Bowmanville in 2004 had about \$2.6 million in estimated damage. It's a fair amount. When you talk about the potential for damage in a built-up area, a residential area, you could be talking several, several, several millions of dollars.

I have to say that when I look at what is in place in other jurisdictions, I don't feel comforted, I don't feel assured by statements in this House that we have the best. Clearly we have not fought at the level that other jurisdictions have—other jurisdictions that have dealt with severe events and tragedies like the large-scale release of dioxin in Seveso in Italy a few decades ago. Those sorts of thinking, those ideas that have been put in place in other jurisdictions should have been put in place in Bill 187. There should be a recognition that when land use planning and zoning are put in place, hazardous materials regulation has to be integrated with that. I don't see that addressed in here.

Bill 187 does create a chief safety and risk officer to "independently review the TSSA's activities." But this officer is to be appointed by the TSSA, so it's hard to imagine how the officer would be fully independent. You get someone who is appointed in that manner, and in the end they will be beholden to the board of directors. Think about the Auditor General, who reports to this Legislature, who, because he reports to the Legislature, has some level of independence. Think about them having to depend on the cabinet for their ongoing contract, for their ongoing appointment. If that's the case, then they're going to try to please the body that has the power to appoint them and who sets their budget.

We here in this House have an Ombudsman, an Auditor General and an Environmental Commissioner who report to the Legislature, not to the cabinet. And however imperfectly, it gives them some level of independence and an ability to speak openly and honestly about the difficulties they see in the way that this government and other governments function and carry out their duties.

Under Bill 187, this officer—who, as I've said, has an independence that's circumscribed—is not obligated to do anything following a review but "may" pass information forward. That's not adequate. That doesn't do what we have to have done here in this particular House and what has to be done in this province.

If the officer in this case does prepare a report, there are no provisions obligating the TSSA to implement any of the officer's recommendations. So let's assume that we have this independent officer who has the will and the foresight and the commitment to say that there are fundamental problems with the way things operate. There

is no basis, there is no power within this act requiring that those recommendations be put in place. So we could hear all kinds of complaints, we could hear a litany of criticisms, we could see a broad range of issues brought before that board and possibly even made public, but in the end the TSSA is insulated.

There are three other changes in this bill which effectively continue the status quo. Section 3.21 states that the minister may consult with the TSSA and require the performance of various reviews. I would say that the minister—well, frankly, I should say that the minister should have the direct power to operate this, that it should be brought into the public realm. But in this case, let's assume that the bill passes as is, that the TSSA continues to be this independent, run-by-industry operation, self-regulated. Then the minister should be poking his nose in pretty regularly to ensure that the public interest is ensured; not just that the minister may require performance of various reviews, but shall require performance of various reviews to ensure that the public interest is in fact being safeguarded.

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The bill states that the Auditor General may audit the TSSA. That is an improvement. I have to say that is an improvement. It's useful to know that the Auditor General will have the power to go in and audit. But I would actually say, given what's at stake, and given the performance of this particular authority, that it would make sense to say that the Auditor General will regularly go in, assess and report.

It states that the minister may appoint an administrator to assume control of the TSSA if the minister believes it is in the public interest to do so. These are discretionary powers; they may or may not be exercised. But in the end, frankly, they are not a substitute for public ownership and control of this regulatory authority. That is the fundamental problem. We can do all kinds of interesting little work around the edges on this bill, but as long as, in the end, the power to run this authority is outside the hands of government, we have a substantial problem and we will continue to see safety issues cropping up.

Bill 187 does little to strengthen present inspection and enforcement functions of the TSSA. It does grant inspectors the power to order a party to take measures to reduce "imminent" hazards, but this power is useless if you don't have sufficient inspectors to identify hazards, or if your inspectors tend to side with the employer. In the end, let's face it: If the employers are carrying the load, if they're paying the freight, if they've got an inspector who is giving them a hard time, they're going to talk to their friends on the board and say, "Do you know what? This inspector has to go. This inspector is costing me money. This inspector is slowing down production. Move him out." That happens.

Last night on PBS there was a documentary about long-term capital management and about a securities commissioner in the United States under the Clinton administration who pointed out that the over-the-counter derivatives market was a bubble, a shell, an explosion

waiting to happen. That woman was moved out; she was dumped. Industry wasn't happy. She was pointing out that there were big problems, that there was an explosion waiting to happen. She was gone; she was history. People who take on industries that don't like having their profit margins messed with—they will, in turn, push back.

So I have to say that an inspector—someone who is employed by a company, directed by an industry—is often going to think twice before they blow their career chances by pointing out that an industry is in fact doing something that it shouldn't be doing, that it is putting workers and the public at risk. We saw after the Sunrise explosion that the TSSA was not able to actually keep a list of current propane facilities. In and of itself, that shows a major failing of this organization.

When you look at the propane safety review and the documents that led up to the panel's report, one of the things that people have to keep in mind is that the report itself was circumscribed. The report didn't look at the whole question of the role of municipalities and zoning. It didn't say, "Okay, we've had a major problem here. We've had a spectacular failure of regulatory authority." Their zone, their area of examination, was circumscribed, and so they didn't look at the whole question of exactly that zoning and how you deal with the question of dangerous industry and its relationship to population. That was a problem. It wasn't dealt with in the discussion paper and obviously couldn't be addressed in the panel review, and does not get addressed in the legislation before us.

Another issue that was left off the agenda of the safety review panel was the governance model of the TSSA. We in the NDP have raised serious questions about the TSSA since it was established by Mike Harris. It's a self-regulating body. Most of its directors come from industry. Only three of the 13 directors are appointed by the province. Industry overseeing industry is a clear conflict of interest.

We seem to always be in a situation where we look at these things, we realize them and we address them only after something explosive has happened. That again has happened in this case. If, in fact, that explosion hadn't happened, we wouldn't be having a debate in this Legislature. We would assume that things were fine until someday another catastrophic event occurred.

The TSSA was brought into being by the Harris government, a fully self-funded organization to cut costs and move forward with mass deregulation. In doing so, that government compromised public safety and sided with big business interests.

Liberal opposition at the time, many of whom are now in government, shared some of our criticisms. Here's what the current Minister of Finance, Mr. Dwight Duncan, had to say about the legislation that charged the TSSA with responsibility for public safety: "There are not enough checks and balances within the system, and where we believe it's prudent for government to regulate." Dwight Duncan was right.

This was echoed by the current Minister of Transportation, Mr. Bradley: "In light of what we've seen

happen in Walkerton and other communities, I know we would not want to turn that over to the private sector, but maintain that in public hands, owned and operated by the people of this province." He's right.

But when the McGuinty government came to power, it made no changes. They didn't put public safety back in public hands. They embraced the legacy of Mike Harris, as much as they campaigned against it. People in this chamber may think that his legacy was a wonderful one, and they stand up and say that proudly. There are people who oppose that, and there are people who embrace that legacy but don't publicly say that they do. That's the situation we face in this province today.

It's not too late for us to prevent future explosions, to protect people who work in boiler plants, who work in refineries, who work on gas pipelines. It's not too late to protect all of those people from future catastrophic events. It shouldn't be hard for us to make the decision to take these regulatory powers back into our hands.

The reality is that there's extraordinary ongoing and relentless pressure for regulation to be pushed back, and it will always be there. As long as there's a buck to be made, someone will be trying to make that buck. After the 1930s, there was action in governments in the western world to regulate the financial sector. There was a whole legacy that came out of the 1930s and 1940s that constrained financial institutions. Over the decades, that was chipped away and chipped away and chipped away because there were fortunes to be made in undermining that regulation. It's the same in this context. The outcome of that deregulation is very similar in terms of the damage that it does to people, the damage that it does to society and the damage that it does to credibility.

This bill has some small elements in it that may well be useful. But on the whole, it's a bill that, at its core, needs to be redone so it actually transfers power back to the public.

One of the other areas of concern that one can have when one looks at the bill is that the TSSA licensing seems to be based more on the goal of revenue generation and less on the goal of consumer and public safety. As the panel suggested, an alternative revenue model may very well indeed serve the public well.

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This isn't the first time that this House has gone down this particular path. In 1986, there was an explosion in an illegal taxicab repair shop in the old city of York that caused extensive damage to the surrounding area. Luckily, and extraordinarily, there were no deaths.

Faced with mounting questions, the minister responsible for consumer safety at the time said, "I'm pleased to announce that in co-operation with the Ministry of Energy, a government-industry committee with consumer representation has been established to examine all aspects related to the siting of facilities for dispensing alternative transportation fuels such as propane and natural gas."

That was May 11, 1987. The minister at the time was Monte Kwinter, now the member for York Centre. The committee was struck and delivered a report in March

1988 outlining their findings. A second report detailing the committee's recommendations was to follow, but it never got to that stage.

Now a new minister is committing to review the issues a minister 20 years earlier made commitments to put through, but never followed up on. It's exactly the type of thing that causes people to be frustrated with politicians and with the political process.

I make this point as a cautionary statement. So far, every step in the development of Bill 187 is the same as it was in 1987—a government caught off guard by an explosion in a populated area and a committee of independent experts struck to respond. The real test here, however, is whether the process actually leads to changes that improve public safety around the use of propane, around the regulation of natural gas, other fuels, elevating devices, amusement devices, a full range of activities that in fact we need to regulate in this province.

The fact that a report was written and a bill was produced isn't relevant. The critical thing is, are we going to solve the problems that were made clear by the explosion at Sunrise Propane. Are we going to deal with the problems that have been reported to us by workers who work in these industries?

I have to say to you, Speaker, reading this bill, that is not going to happen. In the end, if this bill is passed in the form that it exists now, we will simply repeat that history, with outraged citizens dealing with extraordinarily difficult problems and all of us at another date coming back in here to debate the issue one more time.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Khalil Ramal: I'm pleased to stand in my place and comment on the speech by the member from Toronto-Danforth. I listened to him for almost 31 minutes speaking about Bill 187, so I know he's talking about the negative part—if there is a negative part. He talks about one issue, the propane stations across Ontario, how we can create safety around those stations and talking about the mechanism that the ministry of the crown is putting in place to create safety in the province.

I read the whole bill. I was so impressed by the mechanism being put in place, especially the interest shown by the minister to appoint the chair and vice-chair and also allow the Auditor General not only to inspect the books and look at the financial aspects of the organization, of the board, but also to go beyond that, to study the effectiveness and transparency going on at the board and also the right to suggest and make recommendations to the board to enhance their ability to maintain safety in the province of Ontario.

I know the member made reference to many different jurisdictions around the globe. I know that we in Ontario enjoy the safety being put in place by our government to make sure in all the facilities across the province—whether it's a propane facility, a hazardous materials company or a chemical company—there is some kind of safety mechanism in place.

I listened to him very carefully. He talked about a lot of things, but I think he should embrace the bill. It's very

important to support such an initiative that will create some safety for the people of Ontario.

He only talked about propane stations, but he never talked about different places in the province of Ontario in which the minister showed great interest—not just great interest—by appointing the chair and also the vice-chair—

The Deputy Speaker (Mr. Bruce Crozier): Thank you.

Mr. Khalil Ramal: It's our commitment to safety in this province.

The Deputy Speaker (Mr. Bruce Crozier): Thank you. The member for Durham.

Mr. John O'Toole: Thank you very much. I am impressed by the member from Toronto–Danforth. He used all the allotted time as the NDP critic for this, in comparison to the discussion or the embarrassing display yesterday by the minister and his parliamentary assistant only using, oh, I think five to eight minutes of the time. Basically, they were prepared speeches; the ministry prepared speeches that they read. They were almost duplicates: very tightly messaged, a crafted kind of scheme, if you will.

But here's the issue: The suspicions raised by the member from Toronto–Danforth are the substance of what we're concerned about. This bill was introduced by another minister, Minister Takhar, in May 2009, and here it is some months later. In fact, this event at Sunrise Propane happened some time ago. It's a slow reaction.

Now they're trying to undermine—they say in one breath that the TSSA, the Technical Standards and Safety Authority, had no—

Mr. Michael A. Brown: So you guys had it right.

Mr. John O'Toole: Now, the member over there, Mr. Brown, is speaking. What was that you were saying? If you have something to say, stand up and say it. Have the courage to stand up and say it.

The Deputy Speaker (Mr. Bruce Crozier): If either one of you has anything to say, you should direct it through the Chair.

Mr. John O'Toole: I'd like more time, if I could, Mr. Speaker.

The issue here is that they've had the issue for six years. This tragedy happened on their watch. They were forced into doing something, and now they're going to rush this rather transparent bill through. This is what's happening: tightly messaged, crafted so they can take no responsibility, but they are criticizing something that government created. We in government created the TSSA.

I can tell you now that the member from Toronto–Danforth did bring up substantive questions that we need to have some answers to, which are not forthcoming by this government and the parliamentary—

The Deputy Speaker (Mr. Bruce Crozier): Thank you.

The member for Hamilton East–Stoney Creek.

Mr. Paul Miller: First of all, I'd like to commend the member from Toronto–Danforth for his enlightened comments on this very important issue.

I must concur with the member of the official opposition who just spoke. It seems that this government is very reactive when something serious happens. All of a sudden they come out with what I would call a half measure to deal with this.

You've got the TSSA, which is a private corporation. They do not want to take responsibility. They do not want to have it under government jurisdiction because they don't want the liability.

I could name several other incidents in this province that have happened on this government's watch and on other governments' watches over the years that have not been addressed when they should have been: not after it happens, but before.

If this government was smart, they might want to move some of these facilities away from residential areas. They might want to give funding so that they can move some of the more seriously questionable chemical plants or questionable works that deal with dangerous materials or hazardous materials. They might want to move them into an area that might not have an immediate impact on the residents, killing people and exposing people to dangerous situations. There are people who live down the street from some of these places and they don't even know what goes on in those buildings; they don't even know what they make.

So there's a lack of information, lack of enforcement, lack of ministry inspectors, and they should be moving these facilities away from residential areas. If you really want to do something, move them away from people.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Jim Brownell: I'm pleased to have a couple of minutes this afternoon to go on the record with regard to comments made in the second reading leadoff by the member from Toronto–Danforth.

I'd like to quote from comments made in the first part yesterday: "...we have a government that presents a bill and does not even speak to that bill..."

Well, I have a copy of the bill right here in my hand, and I would challenge and expect the folks to go back and understand that I talked about section 3.7(10) when I talked about how "the minister shall appoint the chair and the vice-chair of the board from among the directors."

I talked about section 3.11(1): "The corporation shall appoint a chief safety and risk officer with the consent of the minister."

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I talked about subsection 3.14(1): "The minister may issue policy directions to the corporation if the minister considers it in the public interest to do so." I talked about that.

I talked about subsection 3.20(1): "Each year, the board of directors of the corporation shall report to the minister on its activities and financial affairs in respect of this act, the regulations and minister's orders."

Those are the things that I presented, as well as subsection 3.22(1): "The Auditor General appointed under the Auditor General Act may conduct an audit of the corporation, other than an audit required under the Corporations Act."

Those are the things that both the minister and his parliamentary assistant talked about yesterday. Those are the things that are in the act.

There's more than propane in this act, as we heard from the member from London-Fanshawe, who just mentioned that. I'll mention it again: Right, there is certainly propane because it's one of the fuels that we talk about, but there's more to the act than that.

The Deputy Speaker (Mr. Bruce Crozier): The member for Toronto-Danforth, you have up to two minutes to respond.

Mr. Peter Tabuns: First of all, my thanks to the members from London-Fanshawe, Durham, Hamilton East-Stoney Creek and Stormont-Dundas-South Glengarry for their comments.

First of all, maybe I misheard the member from Stormont-Dundas-South Glengarry. I didn't say that the government said nothing. I actually just looked at Hansard. I said they talked for about 20 minutes with a minimum of content. We are here today not because we've got a huge problem with toxic teddy bears, although occasionally you may have that kind of problem. Our problem is that we've had a spectacular failure of the regulatory authority in this province. We had people killed. We've had explosions in populated areas. That's what's on the table.

To have brought forward this legislation yesterday, to have talked for 20 minutes—and I said that numerous times: I didn't say you didn't talk about it; I said you talked for 20 minutes, with variable content—and to not mention the historical context that drove this whole matter to me is extraordinary. To say that you have amongst the best safety rules in the world and not explain why it all went so badly wrong is a substantial failure. To not give a coherent reason as to why you should not bring these regulatory powers back into the hands of the public says to me that this government doesn't have substance on its side.

We had two presentations yesterday that were sadly lacking in terms of explaining why exactly this came here: "Well, we have good regulations, and we could make them better." No, we had a disaster, people were angry—justly—and we're trying to respond to it. You're responding in a way that's utterly inadequate to the problems at hand, and we are all going to pay for that.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mrs. Laura Albanese: I am pleased to rise in the House today to join the debate on Bill 187. Bill 187 would further strengthen, as we've heard, Ontario's public safety system and strengthen the governance and accountability framework between the ministry and the TSSA. These changes would improve the accountability

and transparency of the TSSA. They would also increase the TSSA's accountability to the government.

Having said that, I would like to begin by sharing my local perspective on this legislation. The tragic Sunrise Propane explosion that occurred in Toronto on Sunday, August 10, 2008, brought a great deal of attention to the handling of volatile fuels. The northeast part of the riding that I have the privilege to represent, York South-Weston, borders the Downsview site where the explosion occurred. It is also within the 1.6-kilometre radius that was under semi-evacuation immediately after the accident.

The proximity of companies handling hazardous fuels has been a source of concern in the riding of York South-Weston for a much longer time. Actually, the explosion that the member from Toronto-Danforth referred to earlier, at a taxi facility in 1986, also happened in York South-Weston. But just last year, in January 2008, the explosion of a single fuel tank at a scrapyard on Hyde Avenue in my riding caused the injury of a worker, and several nearby homes were also damaged. This was one in a series of repeated accidents over the course of several years that happened at that location. The January 2008 explosion was preceded by six fires on the same site since 1996. Therefore, my residents are also looking forward to changes in the way Ontario handles volatile fuels. In York South-Weston, industrial land use has existed alongside residential neighbourhoods for decades.

I want to specify that in the case of the Hyde Avenue scrapyard, the facility location was grandfathered when the city of Toronto went through amalgamation. In the case of Sunrise Propane, it was located there after amalgamation. The land has always been used for industrial purposes. It was the site of a cement company, then a used auto dealer, and then the facility was authorized for a propane facility. I believe the facility needs a provincial licence to operate, but the city has a choice as to where that can be located. However, in Toronto, many of these facilities have been grandfathered.

After the Sunrise explosion, the provincial government announced a review of the storage, handling, location and transport of propane in Ontario. Last October, before that review was completed, I presented a resolution in this House, which was passed unanimously, that meant to bring attention to a variety of issues in regard to volatile fuels, with the intention of increasing the safety of residential neighbourhoods that are close in proximity to operations that handle volatile fuels.

I was pleased to see that shortly after that, in November 2008, the ministry's review addressed many of the points that I had brought forward. In November 2008, the panel issued a report that made 40 recommendations to further strengthen propane safety in this province. The then Minister of Small Business and Consumer Services committed to implementing all of the panel's 40 recommendations. Thirty-three of the panel's recommendations have been actioned to date. Two of those recommendations were immediately acted on: The ministry requested Transport Canada to examine the

potential benefits to public safety of thermal protection requirements for highway tank trucks, and the ministry requested that the Canadian Standards Association review and update the relevant sections of the propane installation code.

On December 11, 2008, new regulations were filed which addressed 18 of the panel's recommendations to further improve the propane safety system. Another recommendation to amend planning rules to require municipalities to notify propane facility operators of changes to official plans or zoning that may affect the risk profile of their facilities is being worked on imminently.

In my resolution, I too had highlighted the important role of municipalities and fire services in site location, emergency planning and identification of hazardous sites. I also asked for a review of training procedures for the storage, handling and transportation of volatile fuels, as well as the monitoring of administrative procedures and requirements, including adequate insurance coverage.

This legislation, Bill 187, would respond specifically to these two concerns. Propane operators would be required to carry insurance as a condition of licensing, and where there is an imminent hazard to safety and the facility operator will not or cannot act to correct it, TSSA inspectors will have the full and clear authority to ensure that the installation is made safe and to charge the costs back to the operator.

Among the key features of this bill are the clear powers for the minister to guide the strategic focus and activities of the TSSA through policy directives and an annual mandate letter to the TSSA's board. I believe this would increase transparency and visibility of the minister's oversight role.

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This legislation calls also for a chief safety and risk officer. The officer would be a safety advocate and would provide annual reviews of how the TSSA is meeting its public safety mandate and assist the organization to continuously adopt new safety best practices. The officer would provide systemic oversight and report publicly—I believe that is an improvement.

The bill would also give authority for the Auditor General to access all TSSA records and choose to conduct a value-for-money audit of the TSSA at his discretion. The Auditor General's role includes assessing the organization's policies and procedures as well as providing suggestions for improvements, and I think that's a great improvement.

The bill would also require a memorandum of understanding between the ministry and the TSSA. This increases transparency and accountability tools and requirements, including policies consistent with government legislation, such as access and privacy of information, an ethical framework for employees, whistle-blowing and others.

Therefore, for all the above-mentioned reasons, I support this legislation, and as I said at the beginning, I believe it will further strengthen the public safety system in Ontario and the transparency of the TSSA.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mrs. Julia Munro: I would like to respond to the comments made by the member from York South-Weston. I think that everyone recognizes the important role that the government plays in setting the standard for public safety, whether it's through organizations such as the TSSA or every other aspect of lawmaking that the government is involved in. But here I think we have to also look at striking a delicate balance, because this, in its formation, was self-regulating, and so some of these issues that the member raises and that the government has raised are ones that I think we have to be very careful about. When you have a self-regulated group, it is the responsibility of the government to provide those guidelines and to ensure the safety, but it's also important for those who are doing that to have that kind of security in knowing that what they are about to undertake is in the best interests of the people but that it also takes into account the business practices and the way in which the members of these organizations are able to operate. It's that balance that we have to seek in any legislation we undertake.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Michael A. Brown: I'm delighted to have an opportunity this afternoon to comment on my colleague the member for York South-Weston's intervention here this afternoon. I just want to remind the members of the House of her strong advocacy for the people of York South-Weston on a number of issues, including the public safety aspects that result from a riding that is a highly urbanized, residential, industrial and commercial part of the great city of Toronto. I appreciate her advocacy on behalf of her constituents on a daily basis here in this place.

I just want to comment a little bit about the bill and the changes that are being made. I think it's important for members to understand that these changes are in addition to the regulations that were passed last December which implemented the propane safety review panel's recommendations. So we're talking much about propane today, although this bill isn't precisely about propane. I think people should know there has been action taken. It was taken some time ago in terms of recommendations.

I also would like to point out that this has an important feature for bringing accountability to the TSSA by allowing the Provincial Auditor to go into this organization and not only do value for money audits, but to ensure that the safety of Ontarians is actually being addressed through this organization, and addressed in a way that is consistent with both financial responsibility and obviously the safety of the people of Ontario.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments? The member for York South-Weston, you have up to two minutes to respond.

Mrs. Laura Albanese: I would like to thank the member for York-Simcoe and also the member from Algoma-Manitoulin for responding and for their comments.

Yes, we need to strike a delicate balance, and that's what I believe the purpose of the bill is. The public needs to have confidence in Ontario's public safety system. We need to strengthen the governance and the accountability framework between the ministry and organizations such as the TSSA, especially in urban areas such as York South-Weston, but as I mentioned, there are many in the province that face similar situations. The people, the residents, need to know that they're safe and feel safe.

This is an issue that is of interest to many ridings in many parts of the province. Therefore, I look forward to the changes that Bill 187 is proposing, because they will further improve and strengthen the system that we have today. There's always more work to do, there are more things that we can look at, but this is, I believe, a great improvement in the accountability to the government and to the people of Ontario.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mrs. Julia Munro: I'm pleased to be able to rise today and speak about Bill 187. But as I begin, I think I have to remind everyone that the only reason this bill is before this House today is the massive propane explosion that took place in Toronto in August 2008. That's why we're here, and that's why we're looking at Bill 187.

We all remember the shock of the explosion and fire. We remember the firefighter and the employee who died and the thousands of people who had to flee their homes after this series of explosions, and we know it could all have been much, much worse.

One of the papers reported at the time, "Boom after boom after boom, the successive blasts rattled homes, blowing doors off their hinges, shattering windows and leaving residents huddled in fear as giant balls of fire burst in the night sky and propane tanks were ejected several kilometres away.

"A Toronto neighbourhood of more than 10,000 residents had to be evacuated yesterday after a series of predawn explosions at a 24-hour propane dealer rocked the area, immediately raising questions about the proximity of such a facility to a residential area....

"We knew it was a danger zone from day one," said Vicki Arciero, one of several community members who had complained to the city about the propane facility near her home in the Downsview area.

"It shouldn't have been put in a residential area. It should not have been there. Nobody did a damn thing. Nobody. And now the damage is done."

"Ms. Arciero recalled being thrown from her bed by the first blast, then having to run from her home in her pyjamas with her children. Another resident, Joanne Crockett, said she had to flee as a massive ball of orange flames burst toward her home.

"A 1.6-kilometre-wide swath of the city was empty for most of the day, like a ghost town, with shattered storefronts, splintered trees, and doors and sidewalks blanketed by broken glass."

"A no-fly zone was ordered over the" site.

"By early yesterday evening," the report goes on, "residents were given the all-clear to go home, and Acting Deputy Mayor Shelley Carroll said the 401 was reopened.

"Canada's busiest highway had been closed between Highway 400 and the Don Valley Parkway for much of the day, causing extensive traffic jams."

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"Richard Hawrelak, an engineering expert, said propane explosions usually start because of a fault in the safety valve that normally lets out overcompressed gas, which builds up at the top of a tank of liquefied propane.

"Canadian propane safety regulations aren't as stringent as American or European ones," Mr. Hawrelak said....

"While there were no toxic fumes, the evacuation stemmed from fears of further explosions from two tanker trucks filled with thousands of litres of propane.

"Flames and debris rained down while some residents fled. Eight people suffered minor injuries.

"With each successive explosion, the sky lit up and roared like thunder, witnesses reported.

"One elderly resident said the glow from the blast shone through her window blinds as if it was midday.

"The fire was a seven-alarm blaze and involved 40 vehicles and more than 200 firefighters.

"Mr. Leek, a 25-year veteran firefighter who died, was surveying damage away from the active site when he collapsed without signs of traumatic injuries.

"Most evacuees found shelter with friends or relatives. Nearly 150 residents who were left homeless were taken to York University...."

After the explosion, we suggested a number of actions that the government should take: One, require more frequent reporting from the TSSA confirming that inspections, in fact, are being carried out; two, legislate an absolute requirement for more frequent inspections under government regulation of all dangerous substances; establish an information centre in the community; make funding available to those who had to leave their homes and who are out of pocket; require the Ministry of the Environment to immediately test the soil and air to ensure that they are safe; and lastly, that there should be a review of the 911 service.

On August 11, 2008, then-PC leader John Tory commented on the explosion in media interviews: "I think public safety, that being the number one concern at all times, warrants that we now have a provincial standard that says whether we can afford to have these anymore in close proximity to densely populated urban areas." He also said about propane facilities that "you have to look at how many are close to densely populated neighbourhoods; second, you've got to say what is then danger ... and then develop a province-wide standard that says we're not going to have them any closer than X to a neighbourhood in order to make sure that we put public safety number one.

"We've got to look at that and make a change, if necessary ... if you look at what others have done ... I'm

led to believe our rules are more lax than other places ... I think we should get on with it today and say that within 90 days they will at least have some indication of what they're going to do and give business reasonable notice as well."

The propane explosion compelled the government to set up the propane safety review, which reported to the minister in November 2008. The review gave the government 40 recommendations. The minister stated in May that two of the recommendations made their way into this bill. I would not expect every recommendation to go in, but I would like to hear from the government the exact status of the other 38 recommendations.

The chief risk and safety officer proposed by this bill should be given, as a first task, the responsibility of reporting on the implementation of these regulations by the TSSA, with a clear deadline for reporting. If the TSSA has failed to implement a recommendation, it should explain why.

I note that the TSSA published a response to the review shortly after it was released. The minister should ask the TSSA for an update on the progress of their action so that it can be considered at the committee stage of the bill. In May of this year, the government finally introduced a bill to make changes to the TSSA.

In his introductory remarks, the minister outlined about eight proposed legislative changes—on the surface, none of which I would want to oppose immediately. But I do think that it's an opportunity, and I look forward to committee hearings, to look at some of these particular directives that are being suggested in this legislation and the kind of effect that all of these proposals would have.

The first one—and the minister alluded to this in his remarks yesterday—was to appoint a chief risk and safety officer independent of the TSSA to report annually on how the TSSA is meeting its public safety mandate. This first one illustrates the point I made a moment ago about the role and the complexity of a risk and safety officer. "Risk" implies that you're looking at risk management. When you're talking about risk management, obviously there's a great deal of work that has to go into that: Is this person going to be adequately staffed? What kind of information would they have available to them? In suggesting that this is an individual independent of the TSSA, does this mean that he is a member of the public service? Is he independent? Reporting to whom? Reporting annually on how the TSSA is meeting its public safety mandate?—something that must be further understood. In the next part of the legislative process, in looking at public hearings, one would presumably have the opportunity to shed light on that.

A second one is to give the minister the power to issue policy directives to the TSSA. I looked back in the speech made by the minister yesterday. One of the things he mentioned right at the very beginning of his remarks, and I quote from yesterday's Hansard, was, "Ontario's technical standards are amongst the best in the world. They work well to protect the people of this province every single day." It seems to me that there are references

made later in his remarks: "Even though the TSSA has a strong performance record in safeguarding the public, it is prudent to look at amendments that will strengthen our governance and accountability framework." So, looking at these suggestions, we have to ask questions about what seems to be a gap when he's looking at policy directives but at the same time talking about the fact that the standards "are amongst the best in the world." Again, where is the intent of that legislation going? Clearly, to give the minister power to issue policy directives, it would seem to me, would fall, as is suggested later on—"enter into a memorandum of understanding."

1700

The question of giving the minister the power to appoint the chair and the vice-chair to the TSSA board: again, the question of the criteria that would be used; the question of who, in looking at the board. I believe it says here, "...appoint the chair and vice-chair of the board from among the directors." Well, who appointed the directors? Where do they come from? What are the criteria that the minister would use for this appointment?

The next one, allowing the Auditor General to access the TSSA records, I find is an interesting one, because this is a self-funding organization. Normally, when I think on the areas of particular interest and the areas open to the Auditor General to look at, we're talking about public money. I think that there has to be a great deal of further discussion on understanding this departure, to be looking at records on the issue of private money.

I would, by the way, just want to say that I'd be the last person who would be advocating less transparency and accountability, but I would just offer the suggestion that this is, in my view, something of a departure in asking the Auditor General to look at the issues around private money.

The other thing I would just add in here is that small businesses are also concerned about the question of the Ombudsman's powers over complaints as well as the ability to file freedom-of-information requests. I realize that's not directly in the bill but I simply offer it because I think it speaks to the broader issue of maintaining a balance. When you create a self-governing group to undertake certain responsibilities, obviously they have to have clear rules, they have to have an understanding of the direction government wants, and they have to be ultimately accountable to government. But at the same time, you have to provide the players with a playing field that allows them to conduct their normal business as well.

I already mentioned the question of the minister and the TSSA to enter into a memorandum of understanding. Particularly in the bill, it refers to it with regard to governance, but I think that in terms of the earlier question about policy directives, it has to be encompassed in that memorandum of understanding.

The sixth part wants to allow the minister to ask for reviews relating to the financial matters of the TSSA. Again, I think we have to remember that it's private money and that it has to be done respecting that.

However, as I say, I'm the last person who is going to advocate for less transparency and accountability.

Again, I think those are the kinds of things that are part of a memorandum of understanding.

The other points, giving the TSSA the clear authority to respond to imminent hazards to public safety and charge the costs back to the operators: Again, I think that when we know that the Ministry of Labour is involved in a legal process, we have to be cognizant of those kinds of issues and the dealings that other ministries may have and the complexities that that creates.

The imminent hazards issue: I know that the Ministry of the Environment has powers to deal with spills and environmental emergencies. The question comes, of course: Is this contemplated as the same kind of power? The most important thing, though, in examining these parts of the bill is to look at the fact that we have that opportunity at committee to hear from the small businesses and the citizens who will be able to come forward to tell us in committee of any of the problems with the suggestions about this bill. I quite look forward to hearing from them, and I know our caucus will decide our support for the bill depending on how it meets the needs of Ontarians.

The thing that disappoints me is what the government could have done with this bill but did not do. The minister and the government had the opportunity to make major changes to the TSSA. Safety, obviously, is the most important concern in this bill, but it should not be the only one. Many small business owners have contacted me with concerns about some of the TSSA practices. The Canadian Federation of Independent Business published a letter on its website with many small business concerns. The CFIB has made a number of suggestions for reform of the TSSA. The CFIB has more than 42,000 members in Ontario alone. They are the voice of small business in our province. Its suggestions are contained in a letter that was written to Elaine Todres, who is conducting a review of Ontario's delegated administrative authorities. The questions they ask and the suggestions they make about the TSSA need a response from this government. I am certain that the CFIB will want to make a presentation during committee consideration of this bill, and I would hope that the government will listen to them and meet their concerns.

The CFIB wrote in the letter that, "We continue to believe that ... the activities of the TSSA should be brought back into the Ontario government.... We do so for the following reasons:

"(1) TSSA's existing mandate is too broad and it needs to moderate its growth mentality.

"(2) TSSA is not adequately accountable to the government of Ontario nor are its activities subject to adequate oversight.

"(3) TSSA fee-for-services practices are highly questionable.

"(4) There is inadequate representation of small businesses in TSSA's governance and stakeholder activities."

The CFIB is concerned about the TSSA's mandate and their "ability to engage in business activities beyond that

mandate so long as they do not detract from or conflict with its delegated responsibilities." They identify—that is, the CFIB—three significant problems.

The first problem is: "These activities have been funded from the fees collected from the entities the TSSA regulates under its delegated authority. These fees are, in effect, taxes. Since excess funds were collected to finance new ventures ... to ask small business owners to fund these activities is wrong."

The CFIB refers to this as "over and above" and recommends that "all funds expended by the TSSA since its inception on 'over and above' activities should be returned to the businesses it regulates under its delegated authority. These funds should come from the treasury of the Ontario government."

The second problem: The Canadian Federation of Independent Business contends that the whole area of "over and above" activity distracts the senior management of the TSSA from the exercise of their delegated authority. "We are told ... that the reason the TSSA could not furnish a list of propane sites in the aftermath of the Sunrise tragedy was that the TSSA inherited information systems that 'didn't speak to each other' from the government. The TSSA has had over 10 years to address this problem. The executive and management time expended on outside activities—as well as the money spent on them—would have been better employed in fixing TSSA's information systems."

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The third problem: The CFIB identifies what they call the TSSA's "too-broad mandate," which has "fostered a growth mentality within the TSSA." It recommends that the TSSA "be directed to restrict its activities to the regulatory areas performed by the Ontario government prior to the creation of the TSSA."

A key contributor to this attitude is the lack of government oversight of the TSSA. The government is proposing to increase the ability of the minister to issue policy directions on "any matter relating to its governance and its administration of the act." As we all know, this may or may not result in actual oversight of the agency.

The CFIB's letter states, "As the Sunrise Propane tragedy made clear, the public holds the Ontario government—not the TSSA—primarily responsible for public safety in the areas regulated by the TSSA."

The government approves the TSSA fee schedule and any new TSSA regulation, but small businesses are concerned that these approvals have become "little more than a formality since the ministry does not have staff with the time or skill sets to actually exercise effective control."

A great example of the failure of government oversight pointed out by the CFIB concerns the new refrigeration regulatory regime introduced in 2006:

"The regulation was introduced without any proof of need in terms of actual incident/accident data.... We sought evidence of the need for this regulation without success. The TSSA could not so much as furnish us with a single anecdote that would indicate need for this

regulation—and a lot more than anecdotal evidence is needed....

“New regulation must be supported by proof of need. With safety regulation a thorough risk assessment is needed in order to establish a need. TSSA’s risk-informed decision-making is not adequate. It does only half the job. It does an adequate job of outlining the different severity levels of the various things that can go wrong. But, in terms of assessing the actual likelihood (risk) of the occurrence of each of these various things, it uses only qualitative information—low, medium and high. Quantitative data is needed—both engineering data and incident data....

“Despite this complete lack of any evidence of the need for the refrigeration regulation, the Ontario government approved such regulation.”

No matter what new powers the minister may gain to oversee the TSSA, will his staff have the technical expertise to do the job? The CFIB doesn’t think he will.

The CFIB also identifies a number of concerns with the TSSA’s fee and expense practices; in particular, their advance billing practices and the actual effectiveness of some of the inspections. They will point out the fact that TSSA gave Sunrise Propane a clean bill of health not long before the explosion, instead of detecting a problem.

The CFIB recommends a return to a flat-rate charge for most of the TSSA’s services and the abolition of advance billing.

According to the CFIB, “Small businesses need a number of things from the TSSA.

“(1) They need most of the regulation enforced by the TSSA. There are some exceptions.... However, in general, be it ski lifts, propane barbeque tanks, amusement rides, high-pressure boilers etc., our members realize that the reputation and viability of their industry depend on the enforcement of regulation adequate to protect their customers and themselves.

“(2) Small businesses also need protection by the TSSA:

—“They need protection from competitors in the underground economy who are not registered with the TSSA and other agencies and ministries of government.

—“They need protection from their large business competitors and the industry sector associations they dominate.

“Across much of the regulatory landscape the big private sector players have the money and the personnel available to sit on association boards and committees. They and their interests tend to dominate these organizations.”

They also point out that they need protection from the TSSA: “They need an appeal process. The best of agencies make mistakes....

“Small businesses need to be consulted when new regulation is proposed ... not only that requiring action by the Ontario government but any new requirements by the TSSA....

“Small businesses need a channel for suggestions regarding the manner in which TSSA operates.”

This government needs to listen to Ontario’s small businesses. They are not asking for TSSA regulations to disappear. They just want it based on evidence, to be affordable and to be fair. I truly hope this government will listen to the voices of small business people and amend this bill to meet their needs.

The propane explosion in August 2008 will remain in memories for a long time. Two lives were tragically lost. If the explosion had happened during the day, the death toll could have been much, much worse. Over the last year, the propane safety review has reported, and the government, to their credit, has made changes. Time will tell if the changes will be effective.

The TSSA must ensure that their new inspection and safety regimes work. What we have learned over the last year, but what the government has failed to act on, is that there are problems with the TSSA that do not relate to safety, problems that may make their safety planning worse.

The government must listen to the voices of small business who are concerned about the TSSA. They must ensure that the TSSA only writes rules that are necessary and rules based on evidence. They must ensure that the TSSA charges fees that are fair, and they must ensure that it does not use the fees it collects from business to expand its mandate beyond what is needed.

That concludes my remarks, but I just want to remind you that I began in a response to the member from York South–Weston about the importance of balance. I think if you look at the remarks that I have made, it’s very clear that I recognize the importance of government revisiting the TSSA and its mandate. But while they’re doing it, I think it’s very important to keep in mind the voice of those people who need the TSSA as a protection and as a public safety vehicle but who also need to be heard. It would be my hope that in the committee hearing process, the government will take a serious look at some of these other issues that need to be addressed at a time when legislative change is being contemplated to the mandate of the TSSA.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

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Mr. Rosario Marchese: I do appreciate the comments made by the member from York–Simcoe. She raised a number of good points. But I do have a question. The Technical Standards and Safety Authority has demonstrated Olympic failures, you would agree. And if you don’t like the word “Olympic,” let’s say monumental.

Mrs. Julia Munro: I began that way.

Mr. Rosario Marchese: And we agree in that regard.

Part of this monumental failure, I think, is due to the fact that your party in government in 1995 put this committee in the—

Mr. John Yakabuski: It was 1996.

Mr. Rosario Marchese: In 1996, exactly—to be exact—and put this in the hands of a private corporation where the accountability measures, in my view, were lacking. I’m just wondering whether the member has any

second thoughts about that. I'm just going to wait for a second—

Mrs. Julia Munro: Okay. Sorry.

Mr. Rosario Marchese: No, no, you're doing other business.

I'm just wondering whether or not you have any doubts about the fact that this is a private corporation that is dominated by private industry interests that led to some of these problems. The Liberals had those concerns too, when you were in government. So my question is, have you thought about that and do you think it would be wiser, perhaps, to bring this Technical Standards and Safety Authority under the tutelage of the Minister of Consumer Services? Because in my view that might give us a little more protection and confidence and security that we all so desperately need.

Your thoughts on the matter?

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Bob Delaney: When we have an event such as that propane explosion, what it does give us as a province a chance to do is to reflect and say, "Do we have the procedures that we need?" It also gives us a chance to take the assumptions that we've made and to challenge them and to say, "How can we do better?"

Let's look at some of the features and benefits of Bill 197: clear powers for the minister to guide the strategic focus and the activities of the Technical Standards and Safety Authority, which is the body that enforces these rules, through some policy directives and an annual mandate letter to the TSSA's board. So, each year, the minister can say to the board, "Here is where we want you to be and these are things which you're going to report back on."

In essence, the bill allows the minister to increase the transparency and the visibility of the oversight role and it also is used to align the TSSA's priorities: "Are you going in the direction that the people of Ontario very clearly need you to go?" I think that's a very important feature of the bill. For example, if there is an emerging public safety issue, if there is a way in a year when you haven't had a major event, to say, "Okay, we realize that through regulations you can improve energy efficiency and conservation, labour mobility, diversity, that you can use innovative technology"—this is the kind of bill, through that mandate letter, that allows the minister to say to the TSSA, "If we've had a major event, here are the things you've got to do to fix it. If we haven't had a major event, here is the way the world has kept moving forward and here is the direction that you should be going to make sure that our ability to handle a disaster of the type that we had a few years ago and the type that—who knows?—we may have in the future—here's how to make sure that as a province we can respond most effectively."

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. John Yakabuski: I'm pleased to respond to the comments from my colleague from York-Simcoe. She

managed to put in 33 minutes on that topic, which was substantially more than the minister and the parliamentary assistant. She raised many issues with respect to the bill and I thank her for that, because we'll have the opportunity, perhaps, to debate these later on or in committee, as well.

There are a couple of things I wanted to raise too. These are things in the bill that give me reason for concern: "The minister may appoint at pleasure directors to the board as long as the directors appointed by the minister do not constitute a majority of the board...."

"The corporation shall provide for the payment of reasonable ... expenses to the directors appointed by the minister."

Given what we've seen go on at eHealth, the last thing I want to see is ministers over there appointing more people to boards of directors. Remember, this is a private company whose expenses are paid for out of private funds, not public funds, yet the minister is going to be dictating compensation for directors appointed by him or her. Now, that's something that the people of Ontario, after going through the last several months—and we're still going through it and we will be for a long time before we get to the bottom of it. If the Premier had any you-know-what, we'd have a public inquiry on this, but it gives me great reason to want to take a good look at this, if the minister is going to be appointing people and then dictating what kind of compensation they're getting. It sounds like another, you know, "If we can't hire you as a consultant, maybe we'll make you a member of the board of directors of the TSSA."

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

The member for York-Simcoe, you have up to two minutes to respond.

Mrs. Julia Munro: I appreciate the comments made by the members for Trinity-Spadina, Mississauga-Streetsville and Renfrew-Nipissing-Pembroke.

I want to begin with the comments made by the member for Trinity-Spadina, who asked me to comment, given his concerns about the bill that's before us today, on the issue of the creation of the stand-alone TSSA, and, because I was a member of the government that created it, would I do something differently today?

My response is really very simple. I agreed with the concept of it being self-regulatory. What I think is reasonable is that because it has now been more than 10 years that it has been in operation, I think it's quite legitimate to say it's time to have a review.

I think the kinds of issues that the CFIB raised—for instance, the growth of its mandate and things like that—are the kinds of things that a government should be watching for. They should understand that that's part of human nature, but it's also one where, in terms such as this one, the relationship between government and the TSSA should ensure that there is that oversight and that those things are addressed, in the same way of the lopsidedness of the small business people versus the larger interests and the time that people could allocate

with large organizations in being able to support the TSSA. So the answer is very much yes, time to review.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Rosario Marchese: It's always good to have an opportunity to speak on the many different issues that come before us. I want to welcome the citizens of Ontario to this parliamentary channel. It's 5:30, we're on live, and it's Wednesday. We're dealing with the amendments to the Technical Standards and Safety Authority introduced by these fine Liberals, who for a number of years had a different point of view about this, but they have changed their mind, and I'm going to speak to that.

It's interesting to hear some of the members talk about how the safety standards in Ontario are the best in the world, and they say this in the context of the monumental failures, one big example being the Sunrise Propane facility, which clearly showed that the oversight standards were poor and that we had much to worry about on who was watching whom. And so I want to say in that context that the safety standards in Ontario have not been very good—Olympically bad, I would say.

I know that people don't spend a lot of time thinking about regulation of propane or natural gas or other substances on a daily basis, because they've got so many other worries to think about—unless you happen to be a victim of some explosion, and then all of a sudden you pay attention. And if it's big enough, governments start paying attention. It's sad how long it takes governments to react in a way that solves them once and for all.

1730

The member from Toronto–Danforth, our critic, mentioned another instance that happened in 2004, in Northumberland, and that too was spectacular in terms of propane explosions there—or an explosion; I'm not sure if it was propane. But it was a disaster. You would think that people would learn from that one and then provide the policies that would assure Ontarians that this would never happen again. The problem is, they continue to happen again and again.

So I wonder why it is that we continue to repeat the same things and why it is that a Liberal government would be happy to tinker around this issue rather than doing what the Toronto Star editorial board asked them to do, and that is to bring it under government control. That, in my view, is the answer. I am wondering why it is that the Liberal government doesn't listen to the Toronto Star editorial, because in my mind they are a powerful paper and they tend to influence Liberals on a regular basis, and they generally listen to them on a regular basis. When they don't, I wonder what's going on.

Hon. Jim Watson: They love you, Rosie.

Mr. Rosario Marchese: No, they love you, Jim. They love you more than they love me, I can tell you that. I've got to tell you that, and I say that with some regret, but they do.

So my question is: If you're not listening to the Toronto Star editorial, who are you listening to? You would think that the power of the Toronto Star is more

potent than the power of a few industry folks who you can deal with—you can, because you do have the power to deal with them. You can say to them, "Look, you've been discredited. Sorry, time to go. We're going to bring it under the oversight of government. We'll take responsibility for it. Not to worry." The industry folks would be a bit unhappy about it, but in the end, they would accept it. Why is it that you're not listening to the Toronto Star; that's the question. I am puzzled, I have to express.

I have to tell you that it was good to listen to the member from York–Simcoe because she said that a review is timely, meaning a review of whether or not we should be bringing it under government control. I think this is an interesting statement made by a Conservative member, because they're the ones who in 1996 took it out of public control and created a private corporation, which is self-regulated—because they love self-regulation; we know that. They believe the sector can do it, that the industry folks can be relied upon to do the job, because we're talking about safety, after all. So I marvel at the fact that the member from York–Simcoe is saying that we should do a review, but I marvel a lot more at the fact that the Liberals have not stated an interest in doing that at all.

I recall so very well the comments made by some Liberals. The now Minister of Finance, Monsieur Dwight Duncan, had this to say about the legislation in 1996 that changed the TSSA, which is the Technical Standards and Safety Authority. I want to spell it all out because often people use acronyms in this place, and those of you watching, you poor citizens, have no way of understanding what the TSSA is unless they tell you, and nobody tells you. So the now finance minister in 1996 said, "There are not enough checks and balances within the system and where we believe it's prudent for government to regulate." That was mon ami Dwight in October 2000.

This was echoed by mon ami Jim Bradley as well, who said, "In light of what we've seen happen in Walkerton and other communities, I know we would not want to turn that over to the private sector, but maintain that in public hands, owned and operated by the people of this province"—said he, in 2000.

These are powerful folks. This is the Minister of Finance. We've got the Minister of Transportation, Monsieur Bradley—people with influence.

So I wonder, if you wanted this enterprise to be taken out of the hands of private industry and brought under government supervision, where the oversight is provided by the minister, who I think I would trust a little more—not much, given the latest scandals of eHealth, but dare I say I trust the minister a little more, whoever that minister might be, in this case the Minister of Consumer Services—than I would trust a private corporation running itself, regulating itself, watching itself, monitoring itself. I have absolutely no confidence in that, as Mr. Bradley, now Minister of Transportation, and Dwight Duncan, now Minister of Finance, when they were in opposition, didn't trust them. And there were a whole lot of other Liberals who didn't trust self-regulation—for good reasons. Where are those powerful people today?

How is it that you could say so much in opposition by way of pronouncements and clarity about what we should do, and then you get elected and you lose that vision, that power to see things clearly? What is it that blinds so many of you when you get into government? That's the question I've been asking for quite some time, because that is the only answer.

So I'm left to talk about things in this bill—and I haven't had a chance to read the whole bill, but I'm left to speak to amendments to the Technical Standards and Safety Authority as opposed to talking about its abolition and getting it under the hands of the Minister of Consumer Services, which is where it belongs. When you're forced to talk about the amendments, you give it legitimacy. You almost say, "Now we've got to try to improve the amendments." You can never improve the amendments well enough to be able to do what I am saying we should be doing, and that is having public, government control over an issue of importance to people: public safety and the protection of property as well. The Toronto Star had it right in its August 2008 editorial. They expressed surprise, as the member from Toronto–Danforth said—because we both had a mind to say the same thing. The Toronto Star expressed surprise that the government, given their opposition to what the Tories had done, now expresses little or no interest in bringing it under government control. They expressed doubt about what the government is doing. New Democrats have the same doubt. I'm looking forward to another Toronto Star editorial, I really am, because if they told you what to do once, we'll wait and see whether they're going to do another editorial again condemning the direction you're moving in or whether they'll be happy with the fact that you've tinkered with some amendments to deal with the issue.

I want to touch on some of the amendments because I'm reduced to that as a critic. On page 3, with respect to the board of directors:

"Composition

"(2) The board of directors shall consist of 13 members unless the number is changed by order of the minister under clause (8)(a).

"Appointed directors

"(3) The minister may appoint at pleasure directors to the board as long as the directors appointed by the minister do not constitute a majority of the board."

Okay, he's able to appoint at pleasure. Whether he will or he won't is up for grabs. We don't know. My sense is that they're not going to appoint too many; they're not.

"(4) The directors appointed by the minister may include representatives of consumer groups, business, government organizations or such other interests as the minister determines."

I say to myself, why not list the number of people you want on this board made up of 13 people? Why not say that four or five will be consumer groups and that you'll also have business and government organizations and list them so that we are clear about who is going to be on that

board? Why not do that as opposed to "the minister may"?

1740

The only clear thing in this bill on page 3 around the composition of the board is that, "Subject to subsection (3), the number of directors appointed by the minister shall be established by order of the minister," and, "Directors other than the directors appointed by the minister shall be elected by the members of the board." So the only thing that the government will do, through the minister, is to appoint the chair and the vice-chair of the board from among the directors. That's it. That is the extent of their power or their influence over the directors of that board.

If you believe that two people, the chair and the vice-chair, are going to control the interests of the government through the public, I believe you're wrong. I still believe that this industry and this Technical Standards and Safety Authority are going to be dominated by the very same people who caused the Sunrise Propane facility to fester as a problem, where lack of oversight was rampant, where security of citizens was always at risk, and, in my view, we will continue to have the same problems.

Page 4 of the bill:

"Advisory councils

"3.10(1) The board of directors shall by bylaw establish one or more advisory councils." I suspect there will not be any more than one advisory council. I suspect there won't be many advisory councils. I can guarantee it.

Then it talks about the composition:

"A bylaw establishing an advisory council shall provide for the council's composition and may require that the council include consumers or persons who have experience or knowledge relating to any matters assigned to the corporation under this act and the regulations." But why have such an advisory body? Why not make sure that you have these members on the board of directors whereby consumers would represent the large number of that board, thereby providing the security that we as consumers need and demand? Why do you need an advisory board that "may" include consumers, and we don't even know? Why not just include them on the board and be done with it?

Continuing on with the chief safety and risk officer:

"3.11(1) The corporation shall appoint a chief safety and risk officer with the consent of the minister.

"Independent review of the corporation's activities

"(2) The chief safety and risk officer shall independently review the corporation's activities or proposed activities related to the public safety responsibilities assigned to the corporation under this act and the regulations."

How many of you citizens following this debate believe that this chief safety and risk officer is going to be independent? Appointed by the board and, yes, approved by the minister, but how many actually believe that he or she is going to be independent? I don't believe that for a moment. So we're going to have an extra layer

of bureaucracy added to this board, as opposed to having the minister regulate with the safety that we demand, knowing fully well that the safety procedures and policies are going to be in place and the ultimate person responsible would be the minister, and we would know exactly where to go in the event of a failure in the safety standards. Now we're going to have a chief safety and risk officer, with the hope that he or she will be independent and accountable to the public, but there is no requirement for that person to be accountable to me and/or the minister and/or this Legislature and/or the public. There's no requirement at all. This person may write a report—doesn't have to, but may do so—and then submit that to the board, and it may or may not go anywhere.

Interjection.

Mr. Rosario Marchese: I beg your pardon?

Mr. John Yakubuski: You may speak for 20 minutes, but you don't have to.

Mr. Rosario Marchese: It may or may not go anywhere. Why would you put someone in that position and then say "may write a report," as opposed to "shall, each and every year, write a report"?

And maybe it would be nice if that person reported to this Legislature so we would know exactly what we need to do, and had direct accountability to this place, as opposed to an unaccountable board that is private, set up by the Tories and continued by Liberals. These people love self-regulation. People like me are afraid of it. And so we set up this office with the hope that somehow, by having this position, we can all rest assured that we can sleep at night and that safety is there and "Don't you worry; go about your business." This position is about making people feel good, making them feel that the government is doing something that will give us the protection and the safety we're looking for. In my view, it's not going to do it. It is not going to do it.

I'm thinking of an example given by the Minister of Consumer Services in terms of how opinions of an inspector were disregarded. He mentions an example which I'd like to read for the record, because it's very interesting.

"On or about November 9, 2006, an inspector from the Technical Standards and Safety Authority attended to conduct a spot inspection of the Murray Road facility. As a result of the inspection, the inspector had reason to believe the authorization holder had been carrying out truck-to-truck propane transfers."

For those who haven't had a chance to read the file, it's those truck-to-truck transfers that are particularly hazardous and in this case were the element, the action, that precipitated the explosion.

"The inspector issued an order pursuant to section 21 of the act to cease and desist the truck-to-truck propane transfer procedure." That was November 2006.

What is interesting is that the director goes on to say that despite the order issued by the inspector, the authorization holders or their directors or officers routinely

allowed the unsafe practice of transferring propane products from truck to truck.

What would lead me to believe, once we have put in place a chief safety or risk officer, that we wouldn't have the same problem, that the advice could be disregarded, might be disregarded?

I only cite that example to say to you that this is not reassuring to me. The only thing that could reassure me and most of the public who have followed this issue, including the Toronto Star, through its editorial commentary on this, is to bring this entity under the guidance, tutelage and responsibility of the Minister of Consumer Services and nothing else.

These amendments are tinkering around the edges to make us feel safe, but it doesn't do it. The Liberals have moved away from that—someone touch the clock. The Liberals have moved away from what they said in opposition, which in my mind would have been public control, to continuing something the Tories started in 1996, and that is to continue with self-regulation, which in my view and the view of New Democrats does not work.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Khalil Ramal: I listened for the last 20 minutes to my colleague the member from Trinity-Spadina talking about Bill 187.

I know he's not happy about many parts of it, but I don't understand why, since this bill is talking about safety for the people of the province of Ontario, establishing a board to create a special mechanism to create safety for many different facilities which exist around Ontario: propane, chemical—many other institutions and facilities across Ontario.

He's talking about the government's involvement. I hope he's not recommending that the government come and micromanage every inch of the province of Ontario. It's not our intent. Our intent is to put regulations in place and put people in charge, on behalf of the people of Ontario, to make sure all the facilities are safe places.

I guess the minister is going to appoint the chair and vice-chair. Also, 49% of the board would be appointed by the government. Those members will be a safeguard for the whole industry, for the whole board, to make sure all the people are doing the right job at the right time.

Also, we will give a mandate to the Auditor General not only to inspect the books but also the procedures, mechanisms and efficiency of the board, if they do the right things or not. Also, the Auditor General will come and advise the board about the right mechanisms that should be used to make sure our province and our communities are safe.

I listened to him, and he was talking about many different issues and many different initiatives that he does not relate to the issue. But the main thing, I think, is that it's most important for all of us in this place to make sure everyone in Ontario lives in a safe community and all the facilities that already exist work according to the procedures and the rules and regulations which exist in the province of Ontario. That's why we have the board.

That's why we appoint the chair. That's why we appoint the vice-chair. That's why we have the members on that board, to make sure that all of the board works efficiently and around the rules and regulations which we put in place to make sure everyone's safe in this province.

1750

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Questions and comments?

Ms. Lisa MacLeod: It's a pleasure to be able to speak to this bill on the TSSA.

As the previous critic for consumer and government services, I had the opportunity to speak to this piece of legislation at first reading. I was also the critic during the tragedy at Sunrise Propane. I just want to reiterate my comments that I made last spring.

It shouldn't have taken an explosion for the minister to do his job, and it shouldn't have taken an explosion to see a piece of legislation on how to better protect Ontarians. The McGuinty Liberals had an opportunity when the explosion at Sunrise occurred; he had an opportunity to visit the site. He had an opportunity to visit the site, and he didn't act for what I believe was almost a week. He failed to take any immediate action, and now we have a new minister who's going to herald this legislation through the chamber, through second reading and then third reading, and obviously through committee.

I think it's important at this particular time to also credit the former leader of the Progressive Conservative Party, John Tory, who in the immediate aftermath of the Sunrise Propane explosion took the necessary steps to go to the constituents, to help them, and later to work with me and other members of the Progressive Conservative caucus to write several recommendations which were never, ever acknowledged by the sitting Liberals. It's unfortunate that again we see not only with the TSSA but with so many other pieces of legislation, such as the public expenses act, that this government acts only when the spotlight is shining on them.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Hon. John Wilkinson: I'm glad to enter into the debate on Bill 187. I would like to say that I thought the actions of the MPP for York Centre, Monte Kwinter, were exceptional when the explosion happened. He has represented the good people of York Centre, and he was right there for them. He wasn't someone who came in from outside of the riding; it is his riding. That's exactly why he was there for his people. He was the point person for our government. I want to praise him publicly for the tremendous work that he was able to do in a time of need.

I want to say to members opposite that this was a tragedy, but we should never let the pursuit of perfection get in the way of what is practical. Obviously, the people of Ontario expect action. That's what this bill is all about. That's what Bill 187 is all about. I find nothing in this bill that would convince me that it should be voted down. I find everything in this bill to be something that I think reasonable people in Ontario think this government should do.

I would say to the members opposite that this is progress, and it is important for them to support it. I think people will look back and look at the question about whether, when the vote was called, you were for these types of measures or not. I look at what's in the bill and I can find no fault of the minister. I want to praise the minister for looking at this issue and figuring out what is required to move forward.

We have not, on our side of the House, spent our time reminding people who exactly created the TSSA in the first place. We have not done that, although I think the good member from Trinity-Spadina asked a very good question of the member from Simcoe about that issue, and then I think what she decided was that, yes, there are things that need to be reviewed. But today, in this House, the debate is about whether or not we should pass this bill, and I think we should pass this bill. I invite members opposite to vote for it.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. John Yakabuski: Certainly the minister of HST would love us to support this bill, just as he wants us to support that HST, but we're not going to support the HST. We haven't come to all the conclusions on this bill, but I do have a lot of questions on this bill.

Interjections.

Mr. John Yakabuski: Oh, I might vote against it, but I'm not afraid to vote against anything. I'm not afraid of you folks over there, don't worry about that. But I have to ask myself, Mr. Speaker, and I ask you: What is in this bill that is going to, as the member for London-Fanshawe said, make people in Ontario safer?

"The board consists of directors who are appointed by the minister and directors who are elected by the members of the board ... Section 3.14 authorizes the minister, if he or she considers it in the public interest to do so, to issue policy directions to the corporation on any matter relating to its governance and its administration." It's not about the technical side of the act; it's governance and administration. So we want the minister to be involved in picking out who's going to be on the board and also talking about matters of governance and administration. Sounds like the beginnings of just another Liberal boondoggle. Oh, it won't reach the proportions of eHealth, we know that. That has already hit \$1 billion, and we haven't even gotten to the bottom of it. Wait until we get into Cancer Care Ontario, wait until we get into MPAC, wait until we get into the WSIB. We're not done. Then we'll ask the minister if he feels all of those things are great.

The Deputy Speaker (Mr. Bruce Crozier): Member for Trinity-Spadina, you have up to two minutes to respond.

Mr. Rosario Marchese: I thank all my friends for commenting. I'm particularly fond of the comments made by the Minister of Revenue when he says, "We're not the types here"—meaning Liberals—"who attack others about what they did or didn't do." It's comical, because it's all they do on a regular basis. They even go back as far as Bob Rae on a regular basis. The reason,

Minister, you're not attacking the Conservatives is because you have supported and continue to support, through this bill, their direction. You're supporting a private corporation, self-regulated. That's why you're not attacking them. I understand that, but say that. When you say, "We're not in the pursuit of perfection versus practical pursuits," is it so difficult to have government control versus private control? Do you really think that kind of perfection requires a great deal of work on your part that we couldn't achieve it? I mean, we had that prior to 1996. It wouldn't be so tough. All it would take is for one of your colleagues, a fellow minister, to say, "We're doing it," or the Premier to say to one of you, "We're doing it." That's it. It would hardly be a pursuit of perfection.

The debate is: public control or private? Public control or self-regulation? Which of the two do you like? It appears that the Liberals like private control, initiated by the Conservatives, and self-regulation. New Democrats don't agree with it. No matter how hard you try to make it work, it's not going to be as good as it can be if it's not under the control, supervision and oversight of a government, under a minister in your government. That's the answer.

Second reading debate deemed adjourned.

The Deputy Speaker (Mr. Bruce Crozier): My trusty pocket watch is reminding me that it is time to adjourn this House until 9 of the clock on Thursday, October 22.

The House adjourned at 1759.

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Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
Milloy, Hon. / L'hon. John (LIB)	Kitchener Centre / Kitchener-Centre	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Carol (LIB)	Huron–Bruce	
Moridi, Reza (LIB)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	
Orazietti, David (LIB)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener–Conestoga	
Peters, Hon. / L'hon. Steve (LIB)	Elgin–Middlesex–London	Speaker / Président de l'Assemblée législative
Phillips, Hon. / L'hon. Gerry (LIB)	Scarborough–Agincourt	Chair of Cabinet / Président du Conseil des ministres Minister Without Portfolio / Ministre sans portefeuille
Prue, Michael (NDP)	Beaches–East York	
Pupatello, Hon. / L'hon. Sandra (LIB)	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / Ministre du Développement économique et du Commerce
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (LIB)	London–Fanshawe	
Ramsay, David (LIB)	Timiskaming–Cochrane	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Runciman, Robert W. (PC)	Leeds–Grenville	Opposition House Leader / Leader parlementaire de l'opposition officielle
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
Smith, Hon. / L'hon. Monique M. (LIB)	Nipissing	Minister of Tourism / Ministre du Tourisme Government House Leader / Leader parlementaire du gouvernement
Smitherman, Hon. / L'hon. George (LIB)	Toronto Centre / Toronto-Centre	Deputy Premier / Vice-premier ministre Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
Takhar, Hon. / L'hon. Harinder S. (LIB)	Mississauga–Erindale	Minister of Government Services / Ministre des Services gouvernementaux
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
Watson, Hon. / L'hon. Jim (LIB)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
Wilkinson, Hon. / L'hon. John (LIB)	Perth–Wellington	Minister of Revenue / Ministre du Revenu
Wilson, Jim (PC)	Simcoe–Grey	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
Witmer, Elizabeth (PC)	Kitchener–Waterloo	
Wynne, Hon. / L'hon. Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	Minister of Education / Ministre de l'Éducation
Yakubski, John (PC)	Renfrew–Nipissing–Pembroke	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Zimmer, David (LIB)	Willowdale	

**STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

Standing Committee on Estimates / Comité permanent des budgets des dépenses

Chair / Président: Garfield Dunlop
Vice-Chair / Vice-président: Robert Bailey
Robert Bailey, Gilles Bisson
Jim Brownell, Kim Craiton
Bob Delaney, Garfield Dunlop
Phil McNeely, John O'Toole
Khalil Ramal
Clerks / Greffiers: William Short (pro tem.), Sylwia Przedziecki

**Standing Committee on Finance and Economic Affairs /
Comité permanent des finances et des affaires économiques**

Chair / Président: Pat Hoy
Vice-Chair / Vice-présidente: Laura Albanese
Laura Albanese, Wayne Arthurs
Toby Barrett, Kevin Daniel Flynn
Eric Hoskins, Pat Hoy
Michael Prue, Peter Shurman
Charles Sousa
Committee Clerk / Greffier: William Short

**Standing Committee on General Government / Comité
permanent des affaires gouvernementales**

Chair / Président: David Oraziotti
Vice-Chair / Vice-présidente: Helena Jaczek
Helena Jaczek, Kuldip Kular
Amrit Mangat, Rosario Marchese
Bill Mauro, Reza Moridi
David Oraziotti, Joyce Savoline
John Yakabuski
Committee Clerk / Greffier: Trevor Day

**Standing Committee on Government Agencies / Comité
permanent des organismes gouvernementaux**

Chair / Président: Ernie Hardeman
Vice-Chair / Vice-présidente: Lisa MacLeod
Laura Albanese, Michael A. Brown
Howard Hampton, Ernie Hardeman
Rick Johnson, Lisa MacLeod
Yasir Naqvi, Leeanna Pendergast
Jim Wilson
Committee Clerk / Greffier: Douglas Arnott

**Standing Committee on Justice Policy / Comité permanent de
la justice**

Chair / Président: Lorenzo Berardinetti
Vice-Chair / Vice-président: Jeff Leal
Lorenzo Berardinetti, Ted Chudleigh
Christine Elliott, Peter Kormos
Jeff Leal, Dave Levac
Leeanna Pendergast, Lou Rinaldi
David Zimmer
Committee Clerk / Greffière: Susan Sourial

**Standing Committee on the Legislative Assembly / Comité
permanent de l'Assemblée législative**

Chair / Président: Bas Balkissoon
Vice-Chair / Vice-président: Khalil Ramal
Bas Balkissoon, Jim Brownell
Bob Delaney, Joe Dickson
Rick Johnson, Sylvia Jones
Norm Miller, Khalil Ramal
Peter Tabuns
Committee Clerk / Greffière: Tonia Grannum

**Standing Committee on Public Accounts / Comité permanent
des comptes publics**

Chair / Président: Norman W. Sterling
Vice-Chair / Vice-président: Ted Arnott
Ted Arnott, France Gélinas
Phil McNeely, Jerry J. Ouellette
David Ramsay, Liz Sandals
Norman W. Sterling, Maria Van Bommel
David Zimmer
Committee Clerk / Greffier: Katch Koch

**Standing Committee on Regulations and Private Bills / Comité
permanent des règlements et des projets de loi d'intérêt privé**

Chair / Président: Michael Prue
Vice-Chair / Vice-président: Paul Miller
Bas Balkissoon, Mike Colle
Kim Craiton, Gerry Martiniuk
Paul Miller, Bill Murdoch
Michael Prue, Tony Ruprecht
Mario Sergio
Clerks / Greffiers: Trevor Day (pro tem.), Sylwia Przedziecki

**Standing Committee on Social Policy / Comité permanent de
la politique sociale**

Chair / Président: Shafiq Qadri
Vice-Chair / Vice-président: Vic Dhillon
Sophia Aggelonitis, Vic Dhillon
Cheri DiNovo, Linda Jeffrey
Sylvia Jones, Jean-Marc Lalonde
Carol Mitchell, Shafiq Qadri
Elizabeth Witmer
Committee Clerk / Greffier: Katch Koch

**Select Committee on Mental Health and Addictions / Comité
spécial de la santé mentale et des dépendances**

Chair / Président: Kevin Daniel Flynn
Vice-Chair / Vice-présidente: Christine Elliott
Bas Balkissoon, Christine Elliott
Kevin Daniel Flynn, France Gélinas
Helena Jaczek, Sylvia Jones
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Maria Van Bommel
Committee Clerk / Greffière: Susan Sourial

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